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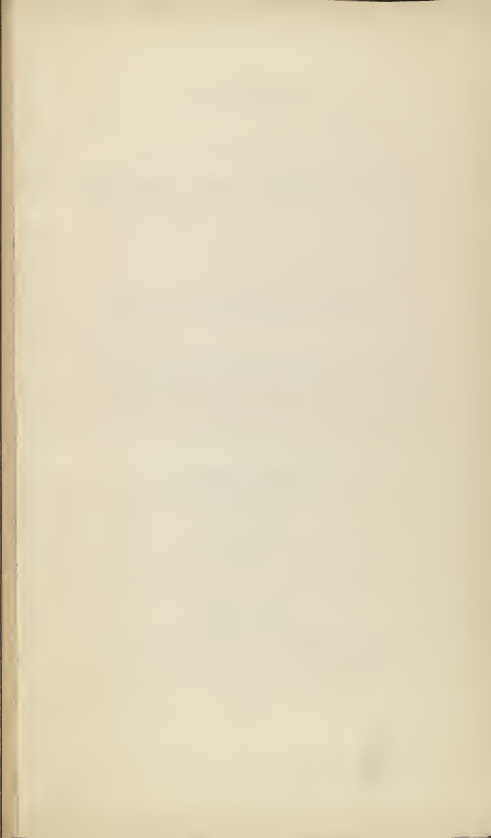
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OF THE

BOARD OF ALDERMEN,

OF THE

CITY OF NEW YORK.

FROM NO. 1 TO NO. 90, INCLUSIVE—FROM MAY 1837, TO MAY 1838.

VOLUME IV.

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DOCUMENT NO. 1.

BOARD OF ALDERMEN,

MAY 22, 1837.

MAYOR'S OFFICE, May 22, 1837.

Gentlemen of the Common Council:

I avail myself of your assembling, as the representatives of the people of this city, to return my grateful acknowledgments for the honor conferred upon me, in elevating me to an office, the duties of which have heretofore been ably performed by many of our most distinguished and patriotic citizens. It shall be my constant effort, by untiring attention to the general welfare, to give the best evidence in my power, that I properly estimate the various responsibilities confided to me.

For a series of years it has been the appropriate and grateful duty of my predecessors, to congratulate the people's as-

sembled Councils, upon our unparalleled prosperity, and the flattering prospects of its continuance. I regret that I cannot repeat their congratulations. Owing to a variety of causes, our monetary system, in all its relations, has become greatly deranged; confidence has been gradually undermined, and the flourishing business of our city prostrated, to an extent which, while its effects are felt among all classes of our citizens, has produced a scene of wide-spread bankruptcy, affecting not only the commercial reputation of this great emporium, but of the country at large.

Let us, however, indulge the pleasing anticipation, that with integrity untarnished, and resolution unimpaired, the people will shortly demonstrate, that although "Cast down, they are not destroyed"; and that unsurpassed in perseverance, honor, and activity, they will surmount the losses of 1837, as manfully as they triumphed over the appalling disasters of 1835; and that the onward march of our city, will secure to her the pre-eminence, to which her peculiarly favorable location, and the enterprise of her population, so justly entitle her.

In the midst of the ruins of our former commercial prosperity, we must acknowledge our gratitude to the "Giver of all Good," for his protecting care, during the past year; for exemption from all pestilence, for plentiful harvests, and other blessings which we have enjoyed.

You will doubtless agree with me, that the greatest caution should at all times be observed in making appropriations; the strictest economy in the expenditures secured; the most rigid accountability constantly required from all receiving and disbursing officers, and retrenchments effected wherever a proper opportunity is presented.

In the present condition of the city, as well as of the country at large, the state of our finances, and the fiscal arrangements necessary for the ensuing year, become of extraordinary importance. These may be seen by the following exhibit:

1st. City Debt, 1st January, 1837.

The funded debt amounted to	. .	\$408,800 00
Due the City Acqueduct account	. .	881,759 33
Due the Mechanics' Bank	. . .	200,000 00
And on five per cent. building stock	. .	40,000 00
		<hr/>
		1,530,559 33

From this fund must be deducted

the amount in the Bank to the
credit of the Commissioners of
the Sinking Fund . . . \$86,468 66

Fire Loan Stock subscribed by
the Commissioners of the Sink-
ing Fund 146,987 09

Building Loan Stock subscribed
by the Commissioners of the
Sinking Fund 15,000 00=248,455 75

Leaving a nett total Public Debt on 31st

December, 1836	. . . . .	\$1,282,103 58
Amount of Public Debt on 31st Dec. 1835	. . . . .	902,534 62
		<hr/>
Increase of debt since that time	. . . . .	\$379,568 96
		<hr/>

City Debt, 1st May, 1837.

Funded Debt of 1820 and 1829	.	.	.	\$408,800	00
Due City Aqueduct account	.	.	.	847,060	67
Due Mechanics' Bank on bonds	.	.	.	35,000	00
Due do. do. do.	.	.	.	8,821	12
Building Loan, since 1st January	.	.	.	250,000	00
					<hr/>
					\$1,549,681 79

2d. Funds and Securities.

Monies due to the Corporation for awards paid on streets, opening and widening, which will come into the Treasury, immediately after the sale, on the 20th July	\$117,634 79
Loan on deposit, City Stock	135,000 00
Certificate of deposit in Mecha- nics' and Phoenix Banks, pay- able 1st August, 10th Septem- ber and 10th October	225,000 00=\$477,634 79
<hr/>	
Leaving an excess of debt over the present cash means of the City	\$1,072,047 00

There was also due the City on the 1st of May,
inst., \$178,000 for taxes of 1836, of which it
is supposed there will be collected, during the
year \$100,000 00

The "Fire Loan" is not taken into consideration, as the receipts of interest on bonds and mortgages, will more than pay the interest on the stock, and will leave a balance in favor of the Corporation.

The several special payments, already authorized to be made, from the Comptroller's Department, are to Public Schools . . . \$84,500 00

For awards for opening and widening streets, of which it cannot be expected that more than one half will be collected . . . 366,219 00

And the amount due the City Aqueduct account, of which, the Water Commissioners will require this year the return of . . . 400,000 00

These, together with the usual and increased expenses, must necessarily embarrass the Financial Department of our City, unless provisions for obtaining funds to meet them be speedily made by the Common Council.

By the terms of the law authorizing the "Fire Loan," no stock could be issued after 16th July, 1836. This is deemed of less importance, from the fact, that all the banks, except one, have returned the whole of the stock loaned to them.

But by the provisions of the statute to authorize the loan of money for building the City Aqueduct, passed May 2, 1834, and the ordinance of the Common Council of May 7, 1834, for carrying the same into effect, proposals can at any time be issued for a further sale of \$1,500,000 of the Water Stock, at five per cent., redeemable in 1860.

It is thought that the balance of the Building Loan, being

\$250,000, which is a five per cent. stock, can be negotiated at par, on a short credit, with certificates of deposit in the banks as security.

It will be worthy of your early attention to examine the amount and nature of all the contracts which the Corporation have already authorized to be made, and the liabilities incurred under them; a list of which will be presented by the proper officer.

I concur with the Comptroller, in his last annual report, in recommending that all the streets and avenues running through the public lands, in the centre of the Island, south of 40th street, should be improved as soon as the state of our Treasury will warrant, in order that they may be brought into the market, and leased as city lots, for a term of years.

The value of the estates, real and personal, of this city, for 1836, was estimated by the Assessors, at the sum of . . . \$309,385,920 00

To this should be added the property belonging to the Corporation supposed to be worth at least \$10,000,000 00

And the estates and properties of the various Churches, Schools, Universities, &c., not included.

It is supposed that during the present year the aggregate assessment may be diminished, and that the difficulties of collecting taxes and assessments will be increased.

Some disappointment will probably be experienced, as to the amount anticipated to be received from the arrears of taxes. Some other items might be enumerated; the most material of which, is the sum usually paid into the City Trea-

sury, by the Public Administrator. Last year, this was about \$17,000 ; but will be greatly reduced by the passage of the act of April 21, 1837, entitled "An Act to regulate the power and duties of Public Administrator and Surrogate, relative to the property and effects of foreigners."

It is respectfully suggested, that the present is a proper period to attempt a reform in some of the expenses of the City Government. A short schedule herewith transmitted may not be unimportant. By this it is shown that in the year 1830, only \$125,021 66 were expended for the Alms House, Bridewell, and Penitentiary, but in the year 1836, for the same object, \$178,430 88, besides donations of \$5,000 to private associations.

In the year 1830 there were expended for cleaning streets, \$25,976 73, and received therefrom \$19,033 45, while in 1836 the amount paid for cleaning streets was \$179,485 72, the receipts from which were only \$41,386 68.

In the year 1830 only 30,224 alien passengers arrived here ; but during the last year 60,541.

Other particulars in the same document will attract your notice.

The government of our city answers all the purposes that could have been reasonably anticipated by those who devised it ; but it may well be questioned whether the system of Police, originally intended for a much smaller population, is sufficiently efficient for 300,000 souls, embracing people from all quarters of the world, and, from necessity, many of the most vicious and depraved of our species.

Several propositions for a change in this branch of our government, which are deemed of vital importance to our best interests, were agreed to by the late Common Council, and the

Legislature was requested to enact them ; but that request has been denied, and it is submitted whether the same, or some similar provisions, should not be adopted by the present authorities.

On the first of May, 1837, there were within our Alms House at Bellevue, 690 men and 747 women ; and by the annual report of the Resident Physician of the Hospital there, of 12th February last past, it appears that on the first of January, 1836, only 126 patients remained in his department ; and that during the year ending January 1st, 1837, as many as 1,083 patients were admitted, amounting in all to 1,209, of whom 502 were received into the Maniac Department ; and that of the whole number of 1,209, only 227 were born in America.

By the City Inspector's last annual report of interments, commencing 1st January and ending 31st December, 1836, it is alleged that the number of deaths was 8,009, of which 2,288, or more than one fourth of the whole, were of foreign birth ; that 447 were buried from the Bellevue Hospital, 288 from the Alms House, and 175 from the City Hospital.

During the present year, it is probable that a greater number of foreigners than in any previous year will come direct to this city, exclusive of the thousands who will land at other ports and soon reach us. A large portion of these people generally consist of women and infants, and many of them sickly or crippled persons, who pay nearly all their substance for a passage to our shores, and who have little remaining with which to procure even a scanty subsistence.

Scarcely a vessel arrives from certain ports of Europe, with steerage passengers, which does not increase the applicants for admission into our Alms House. Crowded together, poorly

clad, lodged and fed on their voyage as thousands of them are, they must be sickly and miserable on arrival.

It has therefore become worthy of your dispassionate and most profound deliberation, whether our present system shall be continued, without variation, or whether application shall be made to the proper power, to amend the laws affecting the introduction of alien passengers; whether you will recommend a new practice in regard to commutation, or whether that proceeding shall be altogether dispensed with, and the most ample security required, in all cases, against alien passengers becoming a charge upon the city.

The facts in the case call for prompt action. Here, individual enterprise is in a measure paralyzed; business and employment of every kind are almost destroyed, and it may happen that even our public works must, for a time, be suspended; it will be extremely difficult for the laborer to obtain employment.

The coming winter will find our citizens not less charitable in feeling, but far less able than formerly, to continue their private subscriptions and contributions, and the Common Council will doubtless be solicited for greater aid than has usually been given for the support of all the charitable institutions; the out-door poor will be increased, and will be more than usually earnest in their intreaties.

These circumstances induce me to call upon your wisdom to investigate and decide upon the various questions involved in this highly important subject.

In the report of the City Inspector, heretofore referred to, it is mentioned that deaths from intemperance had been less numerous during the last year than usual. This testimony, from so high a source, is calculated to cheer the heart of every philanthropist.

Our colleges, academies and private seminaries are in a flourishing condition.

Of all the charities of the city, there is perhaps none more attractive, or which more fully attests their wisdom and benevolence, than the institution known as the "Long Island Farms." These schools contain 371 boys and 141 girls, and at this place and at Bellevue, 189 infants. The schools continue to be ably conducted; proper nurses and good clothing are provided for the children, and they are considered, in every respect, as the "*children of the Republic*;" and, at a proper age, they are bound out to suitable trades or occupations, with provision for their good treatment, maintenance and instruction.

I am happy to be able to state, that during the past year, there has been no case of ophthalmia at those "Farms," although at one time it prevailed there so extensively.

The Public School Society of New York is declared to have been "established for the promotion of the literary, moral and religious welfare of the rising generation." In 1827, this Society consisted of nine schools, containing 4,558 boys and girls; in May, 1836, there were fifteen schools, containing 9,182 scholars of both sexes; twenty-six primary schools, containing 2,946 children, and public primary schools for 1,171 coloured children. The whole amount expended for this object by the School Society in 1836, was \$132,523 38, of which \$87,364 31 were paid by this city. Evening schools are also held for the benefit of those who cannot attend during the day. These schools are judiciously distributed throughout the city.

As the duration of free governments must, in a great degree, depend upon the general diffusion of education, the whole sub-

ject is at all times worthy of the constant attention of every enlightened Legislature.

In March, 1836, the Watchmen asked the Common Council to increase their pay from one dollar to one dollar twenty-five cents. This was finally granted in November last, to commence from the passing of the ordinance. It is recommended that they be allowed the additional twenty-five cents from the time of presenting their petition. More than this has been frequently done for officers previously in the receipt of liberal salaries.

In regard to this strong, respectable and important branch of our Police, essential alike to our strength by day, our safety and repose by night, I would submit the following considerations:

That provision, as far as practicable, be made, that when a faithful Watchman may have been killed in the proper discharge of his public duty, his family, if at his decease he left any, shall receive some aid towards their support; and if in such service he be so maimed as to be unable to labor, that some relief be extended to him by the Corporation.

It seems but reasonable that Watchmen should be exempted from attending fires, except within their own district; that they should be paid for extra services in attending such fires, and for the suppression of riots during the day; and that whenever they shall be required to give evidence after the discharge of watch, they shall have notice of the time and place, and be paid for such attendance, in all cases where such pay is not already authorized by law.

Another subject in which the Watchmen feel a deep interest, is *residence in their several districts*. In regard to this subject, it is believed that a plan may be proposed to the Corpo-

ration, which will meet with approbation. Its adoption would add much to their efficiency, and to the general safety.

It is also suggested whether some of the watch posts are not too extensive, especially in the least inhabited part of the first, second and third wards.

It is desirable that each ward should have a number of Sunday Officers, sufficient to secure a proper observance of the sabbath. I doubt not that you will concur with me in demanding of each and every person appointed to such purpose, a rigid and scrupulous discharge of duty.

The health of the city is at all times a consideration of primary importance.

We have at distant intervals been visited by desolating epidemics; but from the history of late years, we have good reason to believe, that by the care and vigilance of those officers to whom the various and important duties relating to this matter are entrusted, we may in future be exempted from similar evils.

Connected with the health as well as the prosperity of the city, is the formation of public squares, at suitable intervals; and it is the just expectation of proprietors of land throughout this island, that these useful ornaments should be multiplied, and laid out in every section of the city.

It has heretofore been the policy of the Common Council, while land was comparatively cheap, to locate such squares as, in their opinion, would be ultimately wanted. An adherence to this policy will allow of the gradual, cheap and permanent regulation of them.

The cleaning, during the night, of the principal business streets is, by many, believed deserving of experiment. I con-

cur with them in their views upon this topic, and connected herewith, I transmit a communication, which I have received upon this subject.

Our system of paving is defective and unnecessarily expensive. A method has been communicated to me, and is respectfully committed to your disposal, which proposes that the spaces in our pavements laid in the usual manner, be filled with a substance, which it is alleged will at once form a solid mass, furnish a smooth and agreeable surface, be impervious to water, and not be affected by the frost; yet at the same time be favorable to health and economy.

There are frequent complaints of a want of a supply of water at some of our markets, and the Fire Department allege that it is unsafe and impolitic to allow the markets the use of the water, provided at great cost, for the extinguishment of fire. If it should be determined that the hydrants may not be used at markets, the building of wells, to obviate this difficulty, will deserve your favorable action.

By a provision of the amended Charter it is declared, that "the executive business of the Corporation of New York shall hereafter be performed by distinct departments, which it shall be the duty of the Common Council to organize and appoint for that purpose."

An immediate consideration of this provision is not only consistent with our duty, but necessarily enters into a sound and wise economy.

By the 20th section of the same Charter, it is made "the duty of the Common Council to publish, two months before the annual election of Charter Officers, in each year, for the general information of the Citizens of New York, a full and

detailed statement of the receipts and expenditures of the Corporation, during the year then closed."

I conceive that the spirit of this provision implies, that such publication should be made in the newspapers of the city; this has never been done. It has heretofore been printed in a pamphlet form by the Comptroller, but I respectfully recommend a new order of proceeding, carrying into effect the evident design of the Convention which formed our Charter. The expense may be considerable; but it is certain that, in the end, such general information would save thousands of dollars to the people.

Our Fire Department is indispensable to our prosperity and safety; several modifications will probably be suggested. There is one which now claims your notice—I allude to such further encouragement of local Hose Companies, as may not be thought inconsistent with the regular Fire Department.

The city not having been divided into districts for the operations of the several Fire Companies, it is believed to be highly important, that at least two local Hose Companies should be established for the 1st and 2d wards, upon the plan of that heretofore established in the 3d ward; by which arrangement, when the regular Fire Companies should be elsewhere engaged, these Hose Companies would greatly contribute to protect the valuable property of the south part of the city from destruction by fire.

The enlargement and extension of our wharves, slips and piers, merits, and, I hope, will receive your earnest and favorable consideration.

We are emphatically a commercial city, and all judicious efforts to invite hither, and give security and protection to the

vessels of every nation, will most assuredly deserve and receive universal commendation.

Connected with this interesting matter, I transmit a proposition from an experienced stone dock builder. If this gentleman has not miscalculated, it is obvious that this city has paid, yearly, most unreasonable prices for her log piers. He offers to build a permanent and complete stone pier in the North River, of the same dimensions, and for about the same cost, as that spacious wharf constructed of wood at Battery place.

It is creditable to our city, that its tranquillity has so seldom been disturbed by tumult or by riot; and yet we have to lament that we have not been wholly free from either. Our citizens generally, and most particularly those born in our country, and nurtured under the mild sway of constitutional freedom, can never forget that ours is a government of laws, organized and arranged for mutual protection; that to these laws, while they exist, be they what they may, it is the duty of all most cheerfully to submit, and that the intelligent exercise of the elective privilege, is the only legitimate mode of obtaining a change of government.

All others are at variance with the genius of our institutions, and whenever violence is attempted, and the majesty of the laws thus set at defiance, it becomes the imperative duty of every good citizen to exert himself to suppress and prevent it. And it is one of the most sacred injunctions of the new Charter, "that it shall be the duty of the Mayor, to be vigilant and active, in causing the Laws and Ordinances for the government of the City, to be duly executed and enforced."

The Mayor is sworn to perform this requirement according to the best of his ability; and relying upon the prompt, spi-

rited and active assistance of the other departments of the City Government, I feel warranted in saying to all our fellow citizens, that at any and every hazard, the peace of this great commerciale metropolis of the country will be maintained.

I shall at all times be happy to co-operate with you in your generous devotion to the public service ; and I most humbly trust that all your deliberations may be directed by a gracious Providence, to secure and perpetuate the prosperity and happiness of our beloved city.

AARON CLARK.

SCHEDULE,

Shewing the Expenditure, &c, of various Departments, from 1830 to 1836, Aliens arrived, Census of Almshouse, &c.

<i>Years.</i>	<i>Expended for Alms House.</i>	<i>Expended Cleaning</i>	<i>Received for Manure — Streets.</i>	<i>Expended Fire Department</i>	<i>Expended Public Schools.</i>	<i>Expended Public Health.</i>	<i>Received for Alien Passengers.</i>	<i>No. of Aliens Arriv'd</i>	<i>Census of Alms House.</i>	<i>Census of L. I. Farms.</i>	<i>Amount received by Attorney of Corporation</i>	<i>Attorney's Fees.</i>	<i>Costs of Courts.</i>	<i>Paid to Chamber- lain.</i>	<i>Paid to the Attorney by the Cor- poration.</i>	<i>Fees rec'd by the Att'y of the Cor- poration, by way of Commuta'n</i>
1830	\$125,021 66	\$25,976 73	\$19,033 45	\$23,462 06	\$25,995 69	\$ 1,841 10	\$14,901 00	30,224								
1831	134,819 24	28,992 20	27,540 67	14,211 87	28,755 69	7,075 06	20,150 00	31,739								
1832	139,484 45	57,917 60	28,929 36	15,621 41	83,146 56	102,575 87	31,117 50	48,589								
1833	124,852 96	76,124 59	30,279 50	12,554 62	86,594 69	26,355 91	31,617 00	41,752	1,535							
1834	119,211 77	90,918 86	31,497 98	21,681 60	88,554 85	27,045 11	35,808 00	48,111	1,833	518	\$ 5,422 35	\$4,026 00	\$1,102 01	\$497 65	\$223 51	\$ 727 00
1835	147,693 87	114,755 23	36,788 93	30,378 61	86,432 31	9,667 46	18,385 50	35,303	2,137	605	10,541 13	7,151 50	3,709 11	274 36	583 84	1,015 00
1836	178,430 88	179,485 72	41,836 68	59,973 61	88,287 87	9,099 65	37,338 25	60,541	2,390	712	11,730 16	7,186 25	3,888 01	245 92		85 00



DOCUMENT NO. 2.

BOARD OF ALDERMEN,

MAY 22, 1837.

*Report of the Committee on Finance, on the communications
of the Comptroller and Street Commissioner, relative to
the Lumber Dock.*

THOMAS BOLTON, Clerk.

Resolved, That the Street Commissioner report to this Board, whether the lumber dock is completed; and, if not, what time is fixed in the contract for the completion thereof; and also, whether the same cannot now be used for the purposes contemplated in its erection.

The Street Commissioner, to whom was referred the annexed resolution, to report whether the timber dock is completed, and if not, what time is fixed in the contract for the completion thereof; and also, whether the same cannot now

be used for the purposes contemplated in its erection, respectfully

REPORTS:

That about two-thirds of the bulkhead is nearly completed ; that the remaining third is sunk to low water, and that the whole will probably not be completed until the 1st of June next. The time fixed in the contract for the completion of the bulkhead, was the first day of December last.

About two-thirds of the space intended to be enclosed, can now be used as a basin for the harboring of timber, and is used for that purpose. The portion finished, or nearly so, is now filled with timber. The undersigned has learned from a person living in the neighborhood, that an owner of some of the timber had informed him, that he had purchased the privilege of using a part of the basin for the harboring of his timber, from one of the contractors of the bulkhead.

JOHN EWEN, Jun.

Street Commissioner.

COMPTROLLER'S OFFICE, March 27, 1837.

To the Common Council of the City of New York :

The undersigned respectfully represents, that by a resolution adopted by both Boards of the City Councils, and approved by the Mayor, August 6, 1835, the waters on the Hudson River, between 36th and 43d streets, were reserved for public purposes ; and a basin directed to be constructed for the purposes of a lumber dock or timber market, at an expense not exceeding \$70,000.

After stating that the same may be rented to certain persons for an interest of 7 per cent. on the cost, from whom bonds were taken to that effect, it also states that the Common Council may lease or rent the same at public auction, or they may retain the same under their own direction, and establish the rates to be charged for occupying the same.

The subscriber respectfully requests that the subject matter of the above named resolutions, and all things relating to the leasing, renting and occupying the same, may be referred to the Committee on Finance, in order that the same may be settled before the leasing of the public water right property at auction. Respectfully submitted.

D. D. WILLIAMSON,
Comptroller.

The Committee on Finance, to whom was referred the annexed communication relative to the Lumber Dock, on the North River, respectfully

R E P O R T :

That, on inquiry, your Committee find that this work is now nearly finished. The gates have been hung, and the whole is now enclosed and will be completely finished in a short time. This dock was ordered to be built in 1835, and was contracted for at an expense of about \$70,000, to be finished on the first day of December last. In consequence of its not being finished at that time, some loss in the revenue to be derived from it, has been sustained by the city. There is now a considerable quantity of timber within it, which is properly liable to charge, and on which, if it should remain till after the appointment of a proper officer, to take the charge of it, such charge may be collected.

By the original proposition, it was proposed to lease this dock, when finished, to such individuals as would pay the highest rent therefor, but this your Committee do not think a proper or safe course, unless leased to the individuals owning the adjoining upland, and as some of them are incapable of entering into such contracts, your Committee recommend the appointment of a suitable individual to take charge of the same, and to collect the monies which may be charged on timber therein. If such a course is adopted, it will be necessary also to establish a tariff of charges by which such person having the care thereof shall be governed.

The individual to be selected for this station should be conversant with the mode and principles of measuring timber, and in some measure acquainted with the lumber business; and as a considerable sum of money will annually pass through his hands without any other check upon him than his own

sense of duty, he should be a man in all respects trust worthy.

It would also be proper that he should give a bond, with proper sureties, for the faithful discharge of his duties ; and for the more effectual and punctual settlement of his accounts, it is recommended that he shall, on the first Monday of every month, render an account to the Comptroller, under oath, of the monies received by him, and shall at the same time pay over to the Treasurer the amount so received by him during the previous month.

In fixing a tariff of charges for the storage of timber, your Committee have conversed with an individual acquainted with this business, and have agreed on a table of charges which, they believe, will furnish a fair income on the expenditure, and at the same time will not be oppressive to the owners of timber, and from the great quantity of timber, dock logs, masts, spars, &c., annually brought to this city, and consumed here, they believe that there will be a large quantity of timber, at all times, within the basin.

The wharves or piers, surrounding the basin, can be advantageously used for the storage of large quantities of lumber, which is now kept in the lower parts of the city, and there is no impropriety of leasing annually these wharves for this purpose, or for such other as will produce the most income to the city, reserving only such parts thereof as may be required for the public convenience. They therefore recommend that the Comptroller be directed to lease the same until the first of May next, and annually thereafter, at public auction.

Your Committee herewith present an ordinance which they recommend for the adoption of the Common Council.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

A LAW

To regulate the Lumber Dock, and to fix the rates to be charged thereat.

§ 1. There shall be appointed by the Common Council, a suitable person, to be called "the Superintendent of the Public Lumber Dock," whose duty it shall be to take the charge and superintendence of the Lumber Dock, to direct the mode of occupying the same, and collect the fees or charges therefor, as herein-after established, and pay over the same to the Chamberlain of the city.

§ 2. Such Superintendent shall take an oath, faithfully to perform the duties of his office; and before entering upon the duties of his office, shall execute a bond, with two or more sureties, in the penal sum of thousand dollars, conditioned for the faithful discharge of such duties.

§ 3. He shall receive an annual salary of dollars, payable quarterly, for his services; and shall hold his office during the pleasure of the Common Council.

§ 4. He shall, on the first Monday of every month, render to the Comptroller, a full and particular statement of all monies received by him as such officer, verified by oath, stating the names of the persons from whom such monies were received; the date, the amount and the quantity of timber or logs on which the same was charged; and shall, once in each year, on the first Monday of January, and oftener, if required, furnish a statement to the Common Council, of the whole quantity of

timber, logs, spars and other articles, which shall have been brought into the said Lumber Dock during the preceding year; and also the amount remaining therein, at the time of making such report.

§ 5. He shall also keep a book, in which shall be entered the names of all persons bringing timber to the said Lumber Dock, specifying therein the dates, quantity and prices charged therefor, and when the same shall be taken away.

§ 6. The said Superintendent shall not, in any manner or way whatever, either directly or indirectly, be concerned in the purchase or sale of any timber or lumber whatever, either in the said dock, or to be brought therein; and in case of any breach of the provisions of this section, he shall forfeit his office, and shall not afterwards be eligible thereto.

§ 7. The following rates shall be fixed and collected by the Superintendent on all the articles hereafter mentioned, for admission and storage within the Lumber Dock, viz.:

On all squared oak timber three-eighths of one cent for admission and one and a half cent per year for every cubic foot.

On all squared pine or other timber, except oak, one quarter of one cent for admission and one cent per year for every cubic foot.

On all doek or pump logs four cents admission and sixteen cents per year for each piece.

On all spars and masts thirty-seven and a half cents admission and one dollar and fifty cents per year for each piece.

On all plank and other sawed lumber four cents admission and sixteen cents per year for every thousand feet.

Such charges for admission to be paid whenever the articles shall be placed within the dock, and the other charges to be paid quarterly; and whenever any timber or other articles shall not be kept within the dock for the period of three months from the time of admission therein, the charge thereon shall be the same as if such timber or other articles had remained therein for the period of three months, and so for every three months thereafter.

§ 8. The Comptroller shall lease, at public auction, under the direction of the Finance Committees of both Boards, such portion of the wharves and piers around the Lumber Dock as may not be required for the use of the dock, and may grant the privilege of piling lumber thereon until the first day of May next; and shall lease the same annually thereafter, at the same time and in the same manner as the other wharves are leased by him.

DOCUMENT NO. 3.

BOARD OF ALDERMEN,

MAY 22, 1837.

The following communication was received from the Comptroller, relative to the Departments in relation to contracts, which was laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

COMPTROLLER'S OFFICE, May 22, 1837.

To the Common Council of the City of New York :

The undersigned, in obedience to section 10, of title 2, of the law creating a Department of Finance, and prescribing the duties of the officers thereof, respectfully presents the reports from the various Departments, of the contracts entered into, the pay for which comes out of the Public Treasury.

Respectfully submitted.

D. D. WILLIAMSON, Comptroller.

STREET COMMISSIONER'S DEPARTMENT.

A STATEMENT

Of the unfinished Contracts in the Street Commissioner's Department, for which appropriations have been made.

<i>Dates.</i>	<i>Description of Work to be done under Contract.</i>	<i>Amount of Contract.</i>	<i>Appropriation.</i>	<i>Amount paid on Contract.</i>
1835. Sep. 5.	Timber Basin, North River, from 36th to 43d street . . .	\$69,997 37½	General	\$6,000 00
Nov. 17.	Pier east side Market slip, East River . . .	15,000 00	do.	3,875 00
1836. May 5.	Filling water lots behind bulkhead, foot of Stanton street . . .	4½ cents per load	do.	2,528 12
June 10.	Tenth avenue, excavating rock, &c. and Macadamizing forty feet in width, from 28th to 40th street	Blasting and removing rock \$1 19 per yd. earth 20 cts. Macadamiz'g 1st course 98 cents per yard; 2d course \$4 00	do.	8,855 17
Jan. 22.	Sun Fish Pond, filling . . .	6½ cents per load	do.	4,855 35
Aug. 8.	Iron railing around Union place . . .	6½ cents per lb.	Special	

1836. Nov. 28.	Tenth avenue, excavating rock, &c., forty feet in width, from 40th to 50th street . . .	Rock \$1 12 per yd.; earth 16 cts. do.	General	\$ 1,622 08
1837. Oct. 18.	Eighth avenue, regulating sixty feet in width, from 40th to 59th street	20 cents per yard	do.	
Oct. 18.	Eighth avenue, Macadamizing from 40th to 59th street . . .	\$7,000 00	Special	
1836. Sept. 16.	Third avenue, Macadamizing, from 125th to 130th street . . .	\$7,000 00	do.	5,200 00
1837. April 4.	Receiving basin in Thompson street	\$115 00 each	General	3,004 88
March 1.	Excavating mud, &c. from slips . . .	6 mills per foot	do.	
" 18.	Flagging sidewalks around Washington square . . .	\$6,000 00	Special	
April 7.	Sewer in Broadway, at the intersection of Park row . . .	\$2 80 per foot	General	
May 20.	Flagging at Essex Market . . .	11½ cents do.	do.	
" 20.	Paving at do. . .	50 cents per yard	do.	
" 19.	Repairs to Kings Bridge . . .	\$200 00	Special	
1836. Sep. 16.	Bulkhead across Pike slip . . .	\$132 per foot	General	4,000 00

NOTE.—Numerous contracts for regulating and paving streets, for digging and building wells, and for constructing sewers, are in progress; but as they are to be paid by assessments on individuals and do not affect the financial concerns of the Corporation, they are not deemed to come within the purview of the ordinance.

City Inspector's Office.

NEW YORK May, 22, 1837.

Sir,—My predecessor in office states he has two existing contracts uncompleted, viz.:

For filling lots bounded south by 23d street, north by 26th street, east by 4th avenue, and west by Old Post Road, at $7\frac{3}{4}$ cents per load . . . \$9,500

For filling another lot or lots, bounded by 5th street and avenue B. at 4 cents per load . . . \$550

I have myself contracted for filling lots on 17th and 18th streets, between 5th and 6th avenues, estimated 16,000 loads, at 10 cents per load . \$1,600

Respectfully your's,

HENRY G. DUNNELY,
City Inspector.

D. D. WILLIAMSON, Esq.,
Comptroller.

Water Purveyor's Department.

NEW YORK, May 22, 1837.

Sir—In answer to your letter, dated the 18th instant, requesting me to furnish you with a list of contracts made by me and not completed, I have the honor to inform you there is—

- 12 twelve-inch pipe, with some other castings, due on an old contract with J. W. Brick.
- 612 twelve-inch pipe, with castings to lay with them. J. W. Brick—Contract just signed.
- 204 twelve-inch pipe, with castings to lay with them. A. M. Jones—Contract not signed.
- 55 six-inch pipe. T & F. Boyle—Contract not signed.

All the above pipes, now making, amount to about \$30,500.

Very respectfully yours,

WILLIAM G. HENSHAW,

Water Purveyor.

To. D. D. WILLIAMSON, Esq.

Comptroller.

Superintendent of Public Buildings.

NEW YORK, May 20, 1837.

To the Comptroller of the City of New York :

Sir,—In conformity with your request, I hereby send you a list of the unfinished contracts made by my predecessor.

<i>First</i> —James Philips, Munroe Market, balance	\$ 400
<i>Secondly</i> —Joseph W. Brick, for 500 gas lamp posts	6000
<i>Thirdly</i> —Thomas D. Howe's houses in Elizabeth st.	850
<i>Fourthly</i> —W. W. Wetmore, for Market House	} 11,350
at Old slip	

Your's respectfully,

B. G. WELLS,

Superintendent of Buildings.





DOCUMENT NO. 4.

BOARD OF ALDERMEN,

JUNE 7, 1837.

The Select Committee, to whom was referred the application of the unemployed operatives, for relief, presented the following report thereon, which was laid on the table and directed to be printed for the use of the members, and made the special order of the day for the next meeting.

THOMAS BOLTON, Clerk.

The Select Committee, to whom was referred the application of a large number of unemployed operatives, for relief, respectfully

REPORT:

That considering the subject as one of very great importance, at this time, they have used every exertion to obtain the most correct information, so as to enable the Common Council to adopt such measures as will best tend to alleviate the sufferings of those who are now without employment. Various plans and propositions have been discussed by the Committee, for the employment of men by the day; but the expe-

rience of 1832 has proved, that this mode will not have the desired effect; whilst, at the same time, it is attended with difficulties and disadvantages highly injurious to the public interests; they would therefore recommend, that whatever works may be undertaken should be done by contract. There is already a large amount of public work ordered by law to be done, such as sewers, &c. the cost of which is assessed on the property benefited. It is almost impossible, at this time, except at exorbitant prices, to induce contractors to undertake those works, and wait for payment until the money is collected from the assessments. If it should be determined that the Corporation shall assume the payments, the work can go on immediately, and at such a reduction of cost, that the owners of the property can well afford to pay not only the interest but a fair commission to cover the expenses of collecting, &c. There are also some works which have been ordered, the cost of which is borne by the city, which have been delayed by the want of money in the Treasury to pay for them. If it is thought expedient, by the Common Council, to raise money on the credit of the Corporation, your Committee would recommend this as a most favorable opportunity to carry them on, not only as a means of relief to those who are now unemployed, but because both materials and labor can be obtained at much less prices than they hope will be the case another season.

The amount of public work now authorized by law, to be paid for by the Corporation, is as follows:

New piers and extension of piers	\$35,000
Paving streets	50,000
Repairs and Macadamizing roads	35,000
	<hr/>
	120,000
Sewers, &c. to be assessed on adjoining property	130,000
	<hr/>
Making a total of	\$250,000

Which can now be expended with advantage to the public interest, as well as to the cause of humanity. The Committee

beg that it will be borne in mind by the Common Council, that the persons who now call on you for assistance are not paupers; they do not demand charity; they merely ask for employment, to enable them to procure food for their wives and little ones, until an opportunity offers for them to do something better. Many of the applicants have supported their families, through the rigors of the past winter, on the savings of the previous year, believing that the return of spring would bring with it the accustomed demand for labor; but circumstances have destroyed that hope, and, in their distress, they now call on us for that relief which they think we have it in our power to render them. The Committee would therefore recommend to the Common Council the adoption of the following resolution:

Resolved, That it is expedient, at this time, on account of the situation of our unemployed and necessitous population, to use the credit of the Corporation, to raise such amount of money as may be necessary to carry on the public works, recommended in this report, and any others in the City of New York, that may be designated by the Common Council, or by a Committee to be appointed for that purpose; and that the Street Commissioner be, and he is hereby authorized to advertise for contracts therefor immediately.

JOHN V. GREENFIELD,
G. W. BRUEN,
R. SMITH.

APPENDIX.

Extension of Jefferson street pier . . .	\$ 6,000
Do. Beach do.	6,000
Do. 21st street do.	6,000
New pier at foot of Pike slip	17,000
Paving Bowery and other streets	50,000
Improving the 10th avenue, from 50th street to the intersection of Bloomingdale road	15,000
Eighth avenue to be graded, from 26th to 42d street	10,000
Eighth avenue to be Macadamized, from the same	10,000
Third avenue, between 28th and 34th streets, Mac- adamizing	5,000
Third avenue, from 114th to 125th streets, Macad- amizing	7,000
Sewer in 2d avenue, from 14th to 22d street, and sewer in 18th street, from 2d avenue to bulkhead	70,000
Sewer in 16th, 17th, and 18th streets, from Blooming- dale road to 6th avenue	21,000
Sewer in 6th avenue, between 16th and 20th streets	5,000
Sewer in 20th street, from 6th to 8th avenue .	9,000
Sewer in 21st street, from Bloomingdale road to 7th avenue	12,000
Sewer in 6th street, from 5th to 6th avenue .	5,000
Eighteenth street to be filled in	10,000

DOCUMENT NO. 5.

BOARD OF ALDERMEN,

JUNE 7, 1837.

The Joint Committee on Fire and Water, to whom was referred the petition of William Corp, F. E. Gibert, and N. P. Hosack, and other papers, relative to Fire Engine, No. 4, presented the following report thereon, which was laid on the table, and all the papers ordered to be printed for the use of the Members.

THOMAS BOLTON, Clerk.

New York, May 20, 1834.

*To the Mayor, Aldermen and Commonalty of the City of
New York.*

Gentlemen,—The undersigned, for themselves and the late Company of Fire Engine No. 4, respectfully ask of your honorable body, to be put in possession of the engine, of which they were some months ago deprived.

This request is made upon the undoubted right that your honorable body has, in conjunction with the Chief Engineer,

to act, and from the peculiar circumstances under which the engine was taken from the Company, then doing active duty, it is hoped that the wishes of the members will not, on this occasion, appear unreasonable, and may be complied with in the behalf of the Company.

W. CORP,
FRED. E. GIBERT,
N. P. HOSACK.

The Joint Committee of Fire and Water, to whom was referred the annexed petition of William Corp, F. Gibert and N. P. Hosack, in behalf of the late Company of Engine No. 4, praying to be put in possession of said engine, would respectfully

REPORT:

That the petitioners, in their memorial, ask to be put in possession of the engine of which they were deprived during the recent excitement of said department in the month of September last past. The facts and circumstances in relation to this transaction, as they appear before your Committee, are briefly as follows:

On the morning of the 22d of September last past, the then Fire and Water Committee, composed of some of the present and former members of said Committee, in the discharge of their official duties, visited the Engine House of the said late Company, and found that many of the ornaments attached to said engine, including the back and front stauncheons, had been removed, and others substituted in their places; and upon the latter were painted in conspicuous characters, various mottoes, and as the Committee believe, with a view to abandon said engine, and secure to themselves those ornamental parts which had been taken therefrom. Under this view of the case,

in conjunction with the fact that at a meeting of said department, held the previous evening, at which the said Company was represented, it was resolved that the said Firemen would resign their membership on the 25th day of September then next.

It was deemed expedient by said Committee for the preservation of the public property, to take possession of said engine, which they accordingly did, and had it forthwith removed to the public yard of the Corporation, where it remained until put in possession of the present Company, who are now engaged therewith in the discharge of their duties as Firemen; and on the same day the then members of said Company resigned their membership, as appears by the return now on file in the office of the Clerk of the Common Council. In support of the application it is alleged, that while they were yet Firemen, and entitled to all their privileges as such, their said engine was taken possession of by the said Fire and Water Committee; by means thereof they were unable to discharge their duties as such; and that at the time the said engine was so taken away as aforesaid, the members of the leader class were engaged in the duties of their appointment; and that on the morning of the said day, the said Company had been engaged in the performance of their duties as Firemen, and had but a short time previously returned from assisting in the extinguishment of a fire, and that the Committee were not justifiable in drawing the conclusion of their intention to resign, merely because their Foreman and Assistant were present at said meeting and sanctioned the proceedings.

Upon the other hand it is contended by the Company now in possession of said engine, that the same having been placed in their possession by the Fire and Water Committee, and as no charge has been preferred against them, they are unwilling to surrender the same, and refuse so to do, unless by an order from your honorable body, alleging that the late said Company having resigned as members of the Fire Department, can have no claim on said engine, and that they were not at the time of

their said application, and are not now members thereof. Your Committee would here willingly close their report in relation to this unpleasant controversy; but a due regard to their own dignity, in connexion with that of the members of the Common Council, impels them to present a series of resolutions herewith affixed, recently adopted by the *present members* of said Engine Company No. 4, and also others recently adopted at a meeting of Firemen, for your consideration, containing, as they do, an attack, not only upon the Chairman of our Committee, but upon the Committee and the other members of the Board, which the facts do not warrant, or the truth justify. Under these circumstances, it was thought, by your Committee, advisable to refer the whole subject for the consideration of the Common Council.

Your Committee therefore offer the following resolution :

Resolved, That the Committee on Fire and Water be discharged from the further consideration of said petition.

Respectfully submitted.

J. P. WHITEHEAD,
D. RANDELL,
JACOB ACKER,
JOSEPH R. TAYLOR,
MORRIS FRANKLIN,
ABRAHAM TAPPEN.

June 7, 1837.

At a meeting of American Fire Engine Company No. 4, held on Saturday evening, the 13th inst. the following preamble and resolutions were unanimously adopted :

Whereas, certain members of this community, calling themselves Firemen, did, in the month of September last, enter into a conspiracy against the government of this city, by a com-

bined resignation and abandonment of the city to the devouring element, for the purpose of compelling said government to fall in with certain dictatorial and humiliating measures, calculated (like all riotous proceedings) to level with the dust all those institutions which our heretofore happy and peaceful city had erected with unprecedented success. And whereas we did enrol ourselves as members of this Company, to aid as much as possible, in the suppression of the inroads daily making in our beloved institutions, depending upon the righteousness of our cause to strengthen us in bearing up manfully against the obstacles and difficulties scattered in our way. And whereas we were encouraged from time to time by *J. P. Whitehead*, Alderman of the 14th ward, and then Chairman of the Fire and Water Committee, to go on boldly and fearlessly in the discharge of our duties, and as long as he was a member of the Board, his whole influence should be thrown in favor of our Department and in support of our Chief. And whereas not only he, but a large majority of the Common Council, have sanctioned the removal of our worthy Chief Engineer, John Riker, jun., and placed over us Cornelius V. Anderson, who was one of those who refused to do duty as members of the Fire Department, and entered into the combination of the resigned Firemen; and who, at the time of his appointment by the Common Council, was but a few hours again a member of the Department. And whereas it is said that the resigned members are to have the permission of *J. P. Whitehead* and *C. V. Anderson*, to take from us our engine, therefore,

Resolved, That we do hereby pledge ourselves to support and carry out, as far as in us lies, the same principles which actuated us when we bound ourselves to do the duty of Firemen to the best of our abilities.

Resolved, That in the conduct of *J. P. Whitehead*, we view that of a man who has forfeited his word, and consequently our

respect; and that we deem him an improper person to act as Chairman of the Fire and Water Committee.

Resolved, That we view the conduct of the Common Council, at their last meeting in joint ballot, as a direct insult offered to the Fire Department; and that the conduct of a part of them, by promising and insinuating that they intended to act for the benefit of the Department, is a dangerous system of political gambling, and that we can no longer respect men who have abandoned principle for trickery.

Resolved, That however much we may regret the loss of our Engine, and the total disregard for our feelings, still, if the Fire and Water Committee see fit to exercise the power given to them, we will submit without a murmur, and fill any situation which they, in their *infallible judgment*, may see fit to place us in; but that we will resist every illegal step which is taken to deprive us of our just rights.

Resolved, That in C. V. Anderson we recognize a *tool* which is to be wielded by two of the greatest bunglers that were ever honored by the name of Firemen, and that we have not the slightest confidence in either the workman or the *tool*.

Resolved, That as members of the Fire Department, (which is of a pure and charitable character,) we deeply lament that political proscription should have been carried so far as to deprive us of the services of a man so eminently qualified to discharge the duties of Chief Engineer.

Resolved, That the above proceedings be signed by the Chairman and Secretary, and published in the daily papers.

STEPHEN D. THORNE, Chairman.

MARK FOWLER, Secretary.

At a meeting of Firemen and exempt Firemen, held at Thomas Riley's Fifth Ward Hotel, on Friday evening, May 26, 1837, the following gentlemen were appointed officers :

CARLISLE NORWOOD, President.

WILLIAM ADAMS,	} V. Presidents.
JAMES HENIGER,	
WALTER B. TOWNSEND,	
STEPHEN D. THORNE,	
ROBERT S. BARNES,	
B. G. RUSHTON,	} Secretaries.
THOMAS P. OKIE,	

On motion of Mr. J. Jewitt, a retiring Committee of five were appointed to retire and draft resolutions to be submitted to the meeting.

The following gentlemen were appointed by the Chair as said Committee :

Edward Tunis—J. Jewitt—T. F. Peers—James Coffin—William E. Crooker.

The Committee reported the following preamble and resolutions, which were unanimously adopted :

Whereas, the Fire Department of the City of New York, has, for a year past, by its unity of action, and the good feeling existing among its members, been placed upon its original footing, free from all political bias, and far above the reach of political charlatans, who have no other object in view but self aggrandizement ; and whereas a majority of the Common Council, in direct opposition to the well known wishes of nine-tenths of the members of the Department, publicly expressed, have wantonly and maliciously aimed a blow at the best interests of our institution, by removing from the Chief Engineership, John Riker, jun., whose only crime was the faithful performance of the duties appertaining to the station, and whose well known devotion to the principles which should govern the Department none can deny ; whose manly bearing and gentlemanlike de-

partment has given tone and character to the Department, and cause for pride to its members; who pledged himself to the citizens of this great metropolis, to save their property from the ravages of the devastating element, when a combined movement of disaffected men, who would sacrifice every correct principle on the altar of revenge, left the city totally destitute of the means to rescue the property of its inhabitants from destruction by fire; and who has honorably and nobly redeemed that pledge, as the experience of every citizen can bear witness, therefore be it

Resolved, That, as freemen and Firemen, attached to no political party, we deem it our sacred duty to unite together, and use all the means we may possess, to have every member of the Common Council, who voted to remove Mr. Riker, *expunged* from the councils of our city.

Resolved, That the Common Council, by their hasty action in refusing us the opportunity of petitioning their body in relation to the subject of Chief Engineer, although civilly requested to do so, did show a malignancy of feeling towards us without a parallel in any civilized community.

Resolved, That such members of the Common Council as allow themselves to be made tools of by those whom they stigmatized as "blackguards," deserve only our "pity" publicly.

Resolved, That we will give to our late and respected Chief, J. Riker, jun., our undivided support in any way he may desire.

Resolved, That I. P. Whitehead, the Chairman of the Fire and Water Committee, in his anxiety to pass into the present Department, those persons calling themselves "Resigned Fire-

men," against the well known wishes of the members thereof, merits and receives our supreme contempt.

Resolved, That the removal of John Riker, jun. Esq., from the office of Chief Engineer, is an irreparable loss to the Fire Department and the city at large.

11B. *Resolved*, That the proceedings of this meeting be published in all the daily papers, and signed by the officers of this meeting.

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DOCUMENT NO. 6.

BOARD OF ALDERMEN,

JUNE 7, 1837.

Report of the Finance Committee, on the resolution relative to postponing the time for opening Centre street and the burnt district. Adopted.

THOMAS BOLTON, Clerk,

Whereas, the payment of the assessments for widening and opening certain streets in this city, at the present time, would be very burdensome and oppressive to the persons assessed, and it is deemed expedient and necessary that such payments be postponed, therefore,

Resolved, That the time fixed for carrying into effect the opening of Centre street, and for opening and improving the burnt district, be postponed to the first day of October next.

The Finance Committee, to whom was referred the annexed resolution for postponing the time for opening Centre street and the burnt district, and the remonstrance against postponing the time for opening Centre street, respectfully

REPORT :

That the large amount of money to be collected for the above improvements, the large advances to be made from the City Treasury on the first of September, if the assessments shall not then be collected, and the difficulty of making collections, at the present time, presented strong inducements to your Committee for recommending the adoption of the annexed resolution. Great inconvenience may, and probably will result to the city government, and to some of the persons interested, from a refusal to postpone ; but the objections to such postponement seem to your Committee too imperative to be disregarded.

In the first place, the time for carrying these improvements into effect was fixed for the first of May last ; that day has past ; the rights of parties under the laws for making these improvements have attached, and the authority of the Common Council to make a further postponement at this time, is at least questionable.

In the second place, the Common Council having heretofore fixed the first of May last as the period for carrying these improvements into effect, all persons interested were justified in arranging their business in accordance with such period, in expecting that the money awarded to them would be paid on the first of September ensuing, and, consequently, in making purchases and contracts for building on the faith of such expectations. Under such circumstances it seems to your Committee that that good faith which should always distinguish the proceedings of the city government, forbids a postponement ; and that it is better for the Common Council to meet and over-

come the embarrassments that may attend an adherence to their previous decisions, than to seek to avoid them by resorting to a measure of questionable authority and doubtful expediency. Your Committee are encouraged to this conclusion by the belief that the resources of the City Treasury will be found adequate to the requisitions of the law without such postponement, and they therefore respectfully recommend that the annexed resolution be not adopted.

EDWARD TAYLOR,
C. DE FOREST.

1847

Received of the Hon. Secy of the Navy

the sum of \$1000.00

for the purchase of the

U. S. S. "Albatross"

for the service of the

U. S. Navy

for the year 1847

for the year 1847

for the year 1847

for the year 1847

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DOCUMENT NO. 7.

BOARD OF ALDERMEN,

JUNE 7, 1837.

Report of the Committee on Laws in relation to the claims of Rufus L. Lord, and Daniel N. Lord, on the Corporation of the City of New York. Adopted.

THOMAS BOLTON, Clerk.

The Committee to whom was referred the annexed memorial, respectfully

R E P O R T :

That after due deliberation, and after a full examination of the subject of the memorialists, have come to the following conclusion, that is to say :

That the importance of this remonstrance is of no ordinary import, as involving a principle by which the City and County of New York must now and hereafter be materially affected, and their interests deeply involved.

The safety of the city at large, and the protection of the property of our citizens, ought always to occupy the undivided consideration of every citizen having the interests of the community at heart; but at the same time, public policy and a proper regard for the welfare and protection of the whole community, as intimately connected with the interests of private individuals and the citizens in general, as friends of public prosperity, have had a powerful effect on your Committee, and have induced them to offer the following reasons, why the prayer of the memorialists should not be granted.

For instance—the protection of private property depends not only on the exertion of the Superintendent, and several members connected with the Fire Department, but also on the friendly and active exertions of the municipal authorities and the citizens in general; and if the property of a member of the community be so endangered by fire, so that its destruction must be inevitable, the community, as a body, in the opinion of your Committee, ought not to be responsible for the result of an act calculated not only to secure public and private property, but to relieve the citizens from the perilous exertions to which they are and must be exposed.

The example of appropriating the money of the people for property destroyed, as in the present instance, would be extremely pernicious and impolitic, the more especially as the building, in the absence of the extinguishment of the fire, must have been destroyed.

The technical refinement of the judiciary may be subversive of general rights, and which, in the opinion of your Committee, is a governing principle in the case now under consideration.

The Court of Errors, as a sensible and prudent body, are the most proper tribunal, in the opinion of your Committee, to refer this important subject, and therefore offer the following resolution :

Resolved, That it be referred to the Court of Errors of the

State of New York, to revise and decide on the merits of the case lately decided by the Supreme Court, in which the Mayor, Aldermen and Commonalty of the City of New York are plaintiffs, and Rufus L. Lord and David N. Lord, defendants, and that the Counsel take necessary measures to effect the same.

D. RANDELL,
THOS. S. BRADY.



DOCUMENT NO. 8.

BOARD OF ALDERMEN,

JUNE 12, 1837.

The Committee on Laws, to whom was referred the resolution as to the expediency and mode of publishing a revised edition of the Ordinances of the Common Council, presented the following report thereon, which was laid on the table, and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk,

Resolved, That the expediency and mode of publishing a revised edition of the ordinances of the Common Council, be referred to the Committee on Laws.

The Committee on Laws, to whom was referred a resolu-

tion of the Board, touching the expediency, &c., of publishing a revised edition of the ordinances of the Common Council,

REPORT:

That the last edition of the laws was published in the year 1834; that since that period a vast deal of important legislation has been completed, the record of which lies scattered through the minutes, reports, &c.; that the system which has sometime prevailed, of repealing or modifying ordinances by joint resolutions, has much contributed to the present obscurity of our legal organization, which is such that, owing to the above causes and some others which might be mentioned, that it is extremely difficult, even for those familiar with the public business, to ascertain, without great research, the actual state of the enactments of the Common Council, upon any given point.

It is probable, too, that hereafter the legislation of the Common Council will be of a more permanent and solid character, inasmuch as it has been lately relieved by the State from the limitation heretofore imposed upon the duration of its enactments.

Your Committee deem it an essential part of republican institutions, that the laws should be plain and easily accessible to every member of the community; but when the law-makers themselves cannot tell, with any certainty, what the existing law is, your Committee believe it useless to expect a wise, well considered, and practical system of regulations, for the preservation and furtherance of our municipal prosperity. It is therefore an imperative obligation upon the Common Council, in the opinion of your Committee, to remedy, without delay, the evils and defects above alluded to, by a careful revision of the ordinances, by some competent individual, acquainted with the public business, under the general direction of the Joint Committee on Laws of both Boards. The Committee therefore recommend the passage of the following resolutions:

Resolved, That a revision of the ordinances of the Common Council, be made by _____, under the general supervision of the Committee on Laws of both Boards.

Resolved, That _____ be paid, not exceeding seven hundred and fifty dollars, for his services in making the said revision.

All which is submitted.

M. C. PATERSON,
D. RANDELL.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
JANUARY 1954

RECEIVED
JANUARY 1954

FROM
JANUARY 1954

TO
JANUARY 1954

BY
JANUARY 1954

1954

DOCUMENT NO. 8.

BOARD OF ALDERMEN,

JUNE 12, 1837.

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THOMAS BOLTON, Clerk,

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The Committee on Laws, to whom was referred a resolu-

tion of the Board, touching the expediency, &c., of publishing a revised edition of the ordinances of the Common Council,

REPORT:

That the last edition of the laws was published in the year 1834; that since that period a vast deal of important legislation has been completed, the record of which lies scattered through the minutes, reports, &c.; that the system which has sometimes prevailed, of repealing or modifying ordinances by joint resolutions, has much contributed to the present obscurity of our legal organization, which is such that, owing to the above causes and some others which might be mentioned, that it is extremely difficult, even for those familiar with the public business, to ascertain, without great research, the actual state of the enactments of the Common Council, upon any given point.

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Your Committee deem it an essential part of republican institutions, that the laws should be plain and easily accessible to every member of the community; but when the law-makers themselves cannot tell, with any certainty, what the existing law is, your Committee believe it useless to expect a wise, well considered, and practical system of regulations, for the preservation and furtherance of our municipal prosperity. It is therefore an imperative obligation upon the Common Council, in the opinion of your Committee, to remedy, without delay, the evils and defects above alluded to, by a careful revision of the ordinances, by some competent individual, acquainted with the public business, under the general direction of the Joint Committee on Laws of both Boards. The Committee therefore recommend the passage of the following resolutions:

Resolved, That a revision of the ordinances of the Common Council, be made by _____, under the general supervision of the Committee on Laws of both Boards.

Resolved, That _____ be paid, not exceeding seven hundred and fifty dollars, for his services in making the said revision.

All which is submitted.

M. C. PATERSON,
D. RANDELL.

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DOCUMENT NO. 9.

BOARD OF ALDERMEN,

JUNE 12, 1837.

The Committee on Finance, to whom was referred the resolution requiring the Committee to report what sums of money and what means may be applied to the employment of the necessitous poor, &c., presented the follow report thereon, which was read and laid on the table.

THOMAS BOLTON, Clerk.

Resolved, That it be referred to the Finance Committee to report to this Board, what sums of money and what means may be applied to the employment of the necessitous poor, and what sums will be necessary to fulfill existing contracts.

The Committee on Finance, to whom was referred the annexed resolution, directing them to report what sums of money

and what means may be applied to the employment of the poor, and what sums will be necessary to fulfil existing contracts, respectfully

REPORT:

That your Committee are unable to give accurate statements on the subject at this time, owing to their inability since the last meeting of the Board, to obtain the necessary information. The present means of the City Treasury will not be sufficient to meet the ordinary and necessary expenditure of the City Government, including what is to be received from the arrears of taxes and the arrears of assessments, and the proceeds of the Building Stock already issued, but will require an addition of about \$200,000, which must be procured by a temporary loan.

No receipts can be expended from the taxes of 1837, before January 1838, and very little before the middle of February, 1838.

There are several items of extraordinary payments which must be made by the city before that time, which your Committee will state as near the amount as can be estimated at this time, viz:

For land awarded to the city on the opening of Centre street and burnt district,	} Centre st. \$69,445 00 Burnt dis. 124,732 00
Damage to building burnt district	1,450 00=\$195,627 00
For the uncollected assessments on those improvements, at least one-third, payable 1st September, next	162,000 00
Amount carried over,	<hr/> \$357,627 00

Amount brought over	\$357,627 90
To the Water Commissioners, at least	400,000 00
Balances for public buildings	50,000 00
In addition to which the Lunatic Assylum will probably require a further appropriation of	20,000 00
Making in all about	\$827,627 00
To meet these payments the City have the residue of the Building Stock not subscribed	250,000 00
Leaving to be borrowed by the City during the present year, in addition to the amount of Building Stock abovementioned, and the \$200,000 for the ordinary uses of the city.	\$577,627 00

From this statement it will be evident that there are no funds in the Treasury on which dependence can be placed for the expenditure contemplated by the resolution, and that whatever amount is appropriated to this object can only be obtained by borrowing the same on the credit of the city, in addition to the amounts above stated. This amount, however, if borrowed, it must be remembered, can only legally be done in anticipation of the tax of the present year, to be repaid out of that tax when collected, and cannot in the whole, including the amounts already borrowed, exceed the amount of two years tax.

Your Committee are not able to state the total amount to be paid for existing contracts during the present year, but as far as they have been able to ascertain, do not think the same will exceed the sum of \$225,000.

In answer therefore to the resolution, they state that the only means applicable to the purposes proposed, is the borrowing of money, on the credit of the city, to such an amount as may

be directed by the Common Council, not to exceed, with the sums already borrowed, the amount of tax for 1837.

Your Committee respectfully submit this report, in obedience to the resolution without any expressions of opinion on the expediency of the measure, as the same is not required by the resolution.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

DOCUMENT NO. 10.

BOARD OF ALDERMEN,

JUNE 12, 1837.

The Committee on Laws, &c., to whom was referred the Message of his Honor the Mayor, relative to our Quarantine Laws, presented the following report thereon, which was adopted and directed to be sent to the Board of Assistant Aldermeu for concurrence.

THOMAS BOLTON, Clerk.

The Committee on Laws, to whom was referred the Message of his Honor the Mayor, relative to the Quarantine Laws and alien passengers, beg leave to

R E P O R T, I N P A R T:

That its members have felt a deep interest in the very important matters which the Mayor has so promptly, in the discharge of his official functions, brought before the notice

of the Board; that upon a proper and discreet settlement of the interesting questions submitted in the communication, depend the peace, prosperity, and good order of this city.

The immense numbers of persons arriving at this port, fleeing from the poverty, starvation, and oppression of Europe, is calculated, certainly, not only to excite our sympathy for these unfortunate beings but to create a well founded alarm as to the results upon our municipal prosperity, as well as the character and morality of our population. The greater number of these emigrants, (for there are those who, devoted to agricultural pursuits, and bringing with them some little property and a good reputation, are calculated to add to the resources of the commonwealth,) are absolutely penniless, and reeking with the accumulated filth which long confinement on shipboard and an habitual want of cleanliness produce; they almost immediately on their arrival, roam the streets, a band of houseless mendicants, or apply to your Alms House for succor. Crime succeeds destitution; your prisons are filled; your hospitals are crowded with them, and your public treasure is spent upon those who never contributed a cent to the general welfare.

It is just; it is in accordance with the best feelings of the human heart, to commiserate the sufferings of humanity, however degraded; but, in the opinion of your Committee, this city owes a paramount duty to itself, and the country, of which it is the great emporium. She is bound by wise and efficient laws to prevent the jails and work houses of Europe from pouring out on our shores, their felons and their paupers; to prohibit her from introducing here, those whom she is bound by every consideration of justice to support; to prohibit her from disgorging on our people, a population with practices and principles calculated to lower the tone of morals, and disorganize the frame of our republican institutions.

During the last year 60,540 passengers arrived at this port; the number has greatly increased this season, the average being very nearly two thousand per week. The Alms House is full, containing at this moment 3,074, of which about three-

fourths are foreigners. In fact our public charities are principally for the benefit of these foreigners, for of 1,209 persons, admitted into the Hospital at Bellevue, 982 were aliens. The expense of the Alms House establishment and its dependencies, last year amounted to \$205,506 63.

These facts and considerations call for a rigid enforcement of the Quarantine and Health Laws, on the part of our Executive Magistrate, and your Committee have great satisfaction in stating that, with some amendments, the remedy for the evils arising from landing alien passengers at Amboy and elsewhere, may be attained; the public Treasury saved from dilapidation, and the rights of the city protected and enforced.

The act of the Congress of the United States, approved the 28th June, 1834, entitled "An Act giving the consent of Congress to an agreement or compact entered into between the State of New York and the State of New Jersey, respecting the territorial limits and jurisdiction of said States," contains the compact which was doubtless made with an immediate view to the evils under which we are now laboring. Article third, grants to this state jurisdiction of and over all the waters of the bay of New York, &c., subject to certain rights of property and jurisdiction of New Jersey, which are thus set forth: "The State of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks and improvements made and to be made on the shore of said State, and on and over all vessels aground on said shore, or fastened to any such wharf or dock, except that the said vessels shall be subject to the Quarantine or Health Laws, and laws in relation to passengers of the State of New York, which now exist, or which may hereafter be passed."

There is a similar provision touching the Health Law of New Jersey on our part, in regard to the territory extending from Woodbridge Creek, southerly to Princes Bay, and which, as your Committee believe, includes the City of Perth Amboy. There are thus mutual duties and obligations under this compact, on either side, and your Committee do not doubt that the State

of New Jersey (indeed there are already the best feelings manifested by the authorities of Jersey City and at Newark) will see that no damage comes to her sister state, through any avenue which she can close. Your Committee therefore recommend the passage of the following resolutions :

Resolved, That it is the opinion of this Board, that the Mayor be requested to enter into a correspondence with the Executives of the States of New Jersey, New York, and such other persons as to him may seem proper, touching the enforcement of the Health Laws and Passenger Acts.

Resolved, That this Board approve the decision of his Honor the Mayor, in raising the amount of commutation money heretofore paid by foreign passengers.

M. C. PATERSON,
D. RANDELL.

Your Committee beg leave to append to this report, the accompanying communication of Zebedee Ring, Esq., one of the Commissioners of the Alms House.

COMMISSIONER'S OFFICE,

*New York, June 12, 1837.**Dear Sir :—*

In answer to your inquiries, this morning, I beg leave to submit to you an abstract from the Reports of the Alms House, Bridewell, Hospital, Penitentiary, and Long Island Farms, to the 9th instant.

The whole number of paupers in the Alms House, Hospital, and Long Island Farms, are 2453

Of the above number 871 are children, chiefly Americans.

The Hospital contains 287

Of which are foreigners 199

And Americans 88

Male prisoners in the Penitentiary, white 202

Do. do. colored 58 = 260

Female prisoners, black and white, in Penitentiary 260

In Bridewell, males, whites 70

Do. do. blacks 21

Do. females, whites, 5

Do. do. blacks 5 = 101

Total paupers and prisoners under the care of Commissioners of the Alms House 3074

From the whole number, 3074, deduct children, 871, leaves 2203; of whom, (taking my estimate from the Bridewell returns), about three-fourths are foreigners.

Your's, respectfully,

Z. RING.

To MATTHEW C. PATERSON, Esq.



COMMUNICATION

FROM HIS HONOR THE MAYOR,

Relative to the Quarantine Laws, &c.

MAYOR'S OFFICE, JUNE 5, 1837.

Gentlemen of the Common Council:

The laws of this State require that the Captain of every ship or vessel, landing passengers in this city from any foreign country, or from *any other State*, shall report the name, last place of settlement, place of birth, age and occupation of such passenger, to the Mayor of the city, within twenty-four hours after arrival, under a penalty of seventy-five dollars for each passenger so neglected to be reported; and that every person, *not being a citizen of the United States*, coming to this city with intention to reside, *shall report himself* to the Mayor, within twenty-four hours after arrival, under a penalty of *one hundred dollars* for neglecting so to do.

On the 18th of May, last past, information was communicated to the Mayor that the Masters or Commanders of certain ships, for the manifest purpose of evading these salutary provisions of our laws, had lately landed passengers in the vicinity, with the intent that they should forthwith proceed to this city. The Mayor gave public notice that the penalties of

the law would be strictly enforced against all Commanders or Masters of all ships, steamboats, ferryboats and other vessels, and all others who should at any time hereafter violate any of the provisions above specified. This notice was distributed through the city, and sent to other places. On the 30th of May, a letter from Dr. Rockwell, the Health Officer at Staten Island, was placed in possession of the Mayor, as President of the Board of Health, in which it is stated, that on the day previous there arrived at the quarantine the *British ship* "Lockwoods," William Lawton, Master, 46 days from Liverpool, with thirty officers and seamen, two cabin passengers, and three hundred and fifty steerage passengers; that it was stated by the Captain, that two children were born on the passage; that the passengers were consigned to Rawson & Mc Murray, and the vessel to Messrs. Thomas Irwin & Co., of this city. The Health Officer gave orders that the passengers should wash and clean their clothes and bedding, be landed there, and afterwards have the ship cleansed. But by direction of the consignees, and aided by the steamboat Statesman and a New York Pilot, all acting in gross violation of our laws, and against the best interests of our suffering city, this vessel was taken by the Captain to Amboy, where two American lighters, said to be hired by him for the purpose, took the three hundred and fifty steerage passengers and brought them to Jersey City. Having been early apprized of this intended insult to our rights, the Mayor of New York despatched during the night, several officers to the Mayor of Jersey City, informing him of all the circumstances, and respectfully requesting his co-operation to prevent such criminal evasion of our laws. His Honor at once seconded our wishes in a generous and spirited manner. The consequence was, those passengers were not landed there, but finally were put ashore in our city from the lighters, after having promised one of the Commissioners of Health to return to quarantine. I am assured that one of the owners of the "Lockwoods" was actually on board of that ship, and has gone with her to Quebec.

Writs have been issued for the arrest of Richard Irwin and of Rawson and McMurray, in the sum of \$30,000 each, to recover the penalties supposed to be incurred by them.

On the 2d instant the Mayor received a further notice from Dr. Rockwell, informing that the British ships "Phœbe," with 325, "Sherbrooke," with 202, and "Harriet," with 246 steerage passengers, were on their way to this place, with orders to land them at Amboy, *all to be sent to our city.*

The Mayor has also received from the Commissioners of the Alms House a document of which the following is a copy, viz:

OFFICE OF THE COMMISSIONERS OF ALMS HOUSE,

New-York, June 2d, 1837.

At a meeting of the Board the following preamble and resolutions were adopted :

"Whereas several vessels from foreign countries have recently entered the port of Amboy, in the state of New Jersey, with passengers; have landed the same at that place, and caused them to be conveyed to the city, with a view of evading the laws of this State, as existing in regard to alien passengers; and whereas many of said passengers are liable to become a burden upon this city and county *by reason of poverty, and some of said passengers, so introduced, have already made application for admission into the Alms House,* therefore,

Resolved, That the Mayor of the city be requested to bring the subject of such illegal introduction of passengers, before the Common Council as speedily as possible, that such measures may be taken in the case as may be deemed appropriate and necessary.

Resolved, That the Mayor be furnished with a copy of the foregoing preamble and these resolutions.

Z. RING, *Chairman, pro. tem.*

The opinion is entertained, that there is a settled arrangement in some parts of Europe, to send their famishing hordes to our city. The operations of certain companies have been noticed. But the contractors are becoming so covetous, that they seek, not only thus to afflict this country, but they receive from the steerage passengers more than two dollars per head extra for agreeing to land them in New York ; instead of which these traders in foreign paupers, secretly clear their vessels for Amboy, in New Jersey, there to land the said passengers and thereafter send them to New York by other conveyance, or leave them there to provide for themselves. Our city is generally the place to which they *contract* to be carried, on leaving Liverpool.

This business is likely to be fiercely driven throughout the ensuing year. Hundreds of thousands of the population of portions of Europe, are in a state of poverty, excitement and wretchedness; the prospect before them very discouraging. That country has more people than it is convenient to support; and although many of them feel no particular anxiety to leave their native land, they see others depart; they read the mixture of truth and fiction, published by those employed to obtain passengers; they are assured they can easily return if they are not suited with this country; that certain employment, enormously high wages, and almost sure wealth await them. The times being more unpromising in other countries than in our own, they imagine they cannot change for the worse, and hither they come. They cannot fail to be an *intolerable burden* to us. As soon as they arrive within our limits, many of them begin to suffer and to beg. Some of those by the "Lockwoods" commenced as mendicants on the first day they saw our city, and some of them on the first night thereafter sought the Watch House for a shelter; others solicited aid at the Commissioners' Office, and not a few at the Mayor's residence.

Nearly 2,000 now arrive each week, and it is not likely that many months will elapse before the number per week will be

3,000. In the Boreas, which came in on Saturday, there were about 150 steerage passengers. They were landed from a lighter, near the foot of Rector street, at 10 o'clock, A. M. on Sunday. Some of them declared they had not means to obtain one day's storage for a chest. Our streets are filled with the wandering crowds of these passengers, clustering in our city; unaccustomed to our climate; without money; without employment; without friends; many not speaking our language, and without any dependence for food, or raiment, or fireside; certain of nothing but hardships and a grave; and to be viewed, of course, with no very ardent sympathy by those citizens whose immediate ancestors, without their aid, were the saviours of our country in its greatest peril. Besides, many of them seem not to hold opinions in harmony with the true spirit of our government. They necessarily drive our native workmen into exile, where they must war again with the savages of the wilderness; encounter again the tomahawk and scalping knife, and meet death beyond the regions of civilization and of home. It is apprehended they will bring disease among us; and if they have it not with them on arrival, they may generate a plague, by collecting in crowds, within small tenements and foul hovels. What is to become of them is a question of serious import. Our whole Alms House Department is so full that no more can be received there without manifest hazard to the health of every inmate. Petitions signed by hundreds, asking for work, are presented in vain; private associations for relief are almost wholly without funds; thousands must therefore wander to and fro on the face of the earth, filling every part of our once happy land with squalid poverty and with profligacy.

It would be a mercy to them to keep them at their own fireside, be it ever so humble, where they will be among their relatives, and under a government that must take care of them, at all hazards.

The immortal patriots, who declared our national indepen-

dence, were willing this country should form an assylum for the *oppressed* of all nations; and while they stood boldly forth on behalf of the several states, and counselled them to "assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitled them." And while they insisted that governments were instituted among men to *secure* the inalienable rights of life, liberty and the pursuit of happiness; they stated as one of the causes of separation from England, that the King "*had sent hither swarms of officers to harrass our people and eat out their substance.*" Our city now complains of a grievance of no less magnitude.

I cannot doubt that all our citizens, both native and those we have adopted, must abhor to see this blood bought land of liberty and of hope, forcibly made the common resort, and finally the general residence of the droncs, lazzaroni, conspirators, agrarians, revolutionary incendiaries, and fugitives from justice, of various parts of the old world. It would be cruelty to all who support our government; the deepest ingratitude to the decendants of those who bore the heat and burden of those days that tried mens' souls, in the war of 1776; and cruel oppression upon those whose dauntless chivalry, in the war of 1812, banded to the rescue, and gallantly sustained the honor of our country.

Several thousands of colored people remain among us entitled to the protection of our laws. All these or their parents were slaves until they were led forth to freedom by that great philanthropist, Daniel D. Tompkins. As they had been faithful in their humility, they naturally looked for attention from this country, in the days of their liberty. But the increasing influx of needy emigrants has deprived them from time to time of patronage, until in many cases they are thereby turned into the foulest condition of life, driven into corners, cellars and dens, where virtue cannot breathe; and where utter destruction is all they can obtain. Idle male emigrant paupers have

been furnished with food and fuel, whilst both have been denied to sober colored widows, with small children in extreme necessity.

The exertions to evade our laws, it is said, arise from the circumstance that the expenses and responsibilities of landing alien passengers at Amboy are merely nominal. It is therefore believed to be greatly desirable that the Common Council of this city should solicit the co-operation of the government of this State, in an application to the proper authorities of the State of New Jersey, for the enactment of such laws there as will make it no longer profitable to shippers in Europe to leave their passengers intended for this city at any port in that State. Justice and propriety ask this at our hands. Amboy is not the choice of the passengers, but sought by those who gather them in Europe. They soon get among us, bringing with them their miserable remains of ragged, uncleansed clothes and bedding.

Another arrangement is very desirable ; at present the vessel arrives, and the passengers frequently, and indeed generally, come into and become scattered throughout the city before they are bonded or commuted for. I am inclined to the opinion that no passengers should leave the vessel before such arrangements are first satisfactorily completed.

By chapter 56, section 16, of the Laws and Ordinances of the City of New York, it is enacted that in all cases where the Mayor shall deem it expedient to commute for alien passengers arriving at this port, instead of requiring indemnity bonds, he is authorized to receive such sum in lieu of such bonds as he shall deem adequate, not less than one dollar and not more than ten dollars, for each passenger. The Mayor deems it his duty to inform the Common Council that it is his intention hereafter, in all cases, where it would not be unreasonable, to require and demand ten dollars for such commutation from each alien passenger. And on advising with the Commissioners of the Alms House, as to this intention, he is author-

ized to say that they approve and unite in it, and it is believed that it will receive the sanction of the public. Our city should not, whenever it can be avoided, receive more persons likely to become chargeable. It will be a Herculean task to employ and take care of those who are already within our jurisdiction. Our funds, appropriated for charitable purposes, promise no overplus. Provisions fuel and clothing for the Alms House are still very expensive. Laborers are not sought after. And while we pity the griefs and sorrows of all our fellow creatures, we cannot deny that a preference in the distribution of charities, as well as of place and employment, is due to the descendants of the soldiers of the revolution, and to the *heroes* and *sufferers* of the second war, for independence. It was asked by the fathers of American liberty; it has been promised to their sons; it cannot be conceded to strangers without great indignity to our own citizens. And if foreign paupers and vagrants come here for political purposes, it is proof irresistible "that our naturalization laws ought to be immediately revised," and the term of residence greatly extended to qualify them to vote or hold office. Many are, it is admitted, orderly well disposed men; but many of them are of the opposite character. The action of the Common Council, in the premises, is particularly desirable.

Our citizens had no serious turn outs, no riotous parades, no conspiracies against the business and families of quiet, industrious and honest American operatives, until after officious interference by mischievous strangers. And it is melancholy to observe that in the mad career of some of these to destroy our happy system, they have lately recommended, to a large meeting of our citizens, that they should carry with them deadly weapons, of various kinds, to all their future public assemblages. These wild men should learn that to do so is not "peaceably" to assemble, as provided for by the Constitution. Indeed a reason for taking proper measures to diminish the number of arrivals, is drawn from the fact, that, in addi-

tion to the great and grievous expense they yearly add to the city, should they continue to be numerously thrown upon us, the Common Council will be called upon to provide an armed and mounted Police, for both the day and night time; peace cannot be otherwise expected. Many of them come from places where nothing else secures tranquillity.

AARON CLARK, Mayor.

Received of the Treasurer of the
County of ... the sum of ...
for ...

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DOCUMENT NO. 11.

BOARD OF ALDERMEN,

JUNE 19, 1837.

The Committee on Wharves, Piers and Slips, to whom was referred the petition of John McIntyre, for the adjustment of contract for building a pier at the foot of Market street, presented the following report in favor thereof, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Wharves, Piers and Slips, to whom was referred the annexed petition of John McIntyre, for a settlement on his contract for building a pier at the foot of Market street, respectfully

REPORT:

That the petitioner contracted, in November, 1835, to build a pier at the foot of Market street, and to complete the same

by the first day of May following. The pier was to be thirty feet wide and two hundred feet long. That from some cause or other the pier has been made but one hundred and fifty feet long, about three-fourths of the length. The petitioner states that he was not able to build the pier the required length, owing to difficulties which arose in the prosecution of the work, by reason of the extreme velocity of the tide; and that he desires that the value of his work may be ascertained and a settlement made.

The Committee consider the usefulness of the pier to be depreciated in much greater proportion than that which it has been curtailed, and that the question before them is, whether the contractor shall be relieved from making the pier the required length; and if so, what reduction shall be made in consequence.

The petitioner says that he sunk the outer block of the pier; that the force of the tide prevented his giving it the usual protection, while it was being worked up. That the upper portion of it was swept away by a vessel running against it, and that repeated attempts were subsequently made to lap the same, which proved ineffectual, and that he finished the pier as before stated. The Committee are of opinion that it is inexpedient, under present circumstances, to make any further addition to the pier, and they recommend a settlement to be made of the same, as it now stands, making a proper deduction from the sum agreed upon for its deficiency. They are apprehensive that the sinking of a block outside of the pier, may be attended with hazard, and that the portion of the old block remaining on the bottom, may afford a very uncertain foundation. They have received the deposition of one of the dock builders, that the sunken block is twenty-four feet below the water, and that it will not interfere with, or in any manner impair, the navigation. The contract provides that the pier shall be two hundred feet long, and shall consist of three blocks and three bridges. The pier is made one hundred and fifty feet long, and consists of two blocks and two bridges, as stated in the

certificate of the Superintendent of Docks, from which it appears that three-fourths of the length has been made, but about two-thirds of the work done, the blocks being of the size contemplated in the contract, and the length of the pier over two-thirds, consisting of bridges, which are comparatively of small expense. The petitioner, however, states that he built a small block, nine feet in width, adjoining the bulkhead, which is not mentioned in the certificate of the Superintendent of Wharves. He produced no evidence of this, nor do the Committee consider it of any importance that he should. They presume, from the nature of the case, that if he placed it there, he did it for his own convenience, there being nothing in the contract requiring him to do so. The Committee, under all the circumstances, taking into consideration the amount of work done, the curtailment of the pier, and the disadvantages arising therefrom, recommend that the sum agreed upon in the contract for building the pier, viz., \$15,500, be reduced one-third, and that the balance, after such reduction, be paid to the petitioner. They offer the following resolution:

Resolved, That the sum of \$10,333 36 be paid to John McIntyre, as a final settlement, for building the pier at the foot of Market street; all former payments made on account of the same to be deducted, and the payment to be made in a certificate of

C. DE FOREST,
JOHN V. GREENFIELD.

The first part of the book is devoted to a general history of the United States from its discovery by Columbus in 1492 to the present time. It covers the early years of settlement, the struggle for independence, the formation of the Constitution, and the growth of the nation to its present boundaries. The second part of the book is devoted to a detailed history of the United States from 1789 to the present time. It covers the administration of George Washington, the administration of John Adams, the administration of Thomas Jefferson, the administration of James Madison, the administration of James Monroe, the administration of John Quincy Adams, the administration of Andrew Jackson, the administration of Martin Van Buren, the administration of William Henry Harrison, the administration of John Tyler, the administration of James K. Polk, the administration of Zachary Taylor, the administration of Franklin Pierce, the administration of James Buchanan, the administration of Abraham Lincoln, the administration of Andrew Johnson, the administration of Ulysses S. Grant, the administration of Rutherford B. Hayes, the administration of James A. Garfield, the administration of Chester A. Arthur, the administration of Grover Cleveland, the administration of Benjamin Harrison, the administration of William McKinley, the administration of Theodore Roosevelt, the administration of William Howard Taft, the administration of Woodrow Wilson, the administration of Warren G. Harding, the administration of Calvin Coolidge, the administration of Herbert Hoover, the administration of Franklin D. Roosevelt, the administration of Harry S. Truman, the administration of Dwight D. Eisenhower, the administration of John F. Kennedy, the administration of Lyndon B. Johnson, the administration of Richard M. Nixon, the administration of Gerald R. Ford, the administration of Jimmy Carter, the administration of Ronald Reagan, and the administration of George H. W. Bush.

DOCUMENT NO. 12.

BOARD OF ALDERMEN,

JUNE 19, 1837.

The Special Committee, to whom was referred the annexed communication from the Commissioners of the Alms House, relative to the landing of alien and pauper passengers at Amboy, New Jersey, presented the following report thereon, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, Clerk.

The Special Committee, to whom was referred the annexed communication from the Commissioners of the Alms House, in regard to the landing of alien and pauper passengers at the Port of Perth Amboy, in the State of New Jersey, beg leave to

R E P O R T :

That they have had a personal interview with the Mayor of that city; as well as with the Collector of the Port. and w^h

nearly all the Municipal Authorities of the place, and have found but one sentiment prevailing; it being their strong desire to afford all the assistance in their power, to remedy the evil of which we as well as they, have such great cause to complain. The Port of Perth Amboy, not being much frequented by ships in foreign trade, is not subject by law to the salutary restraints of quarantine regulations which prevail at New York; and the Civil Authorities there do not consider themselves at liberty to refuse any person to land who is in good health, or who is not, by old age or infirmity, like to become a town charge. The multitudes, however, that have arrived, and are arriving, have filled them with apprehension, lest there might be superadded to their present difficulties, the necessity of buying with our own industry or property, foreign grain for the support of the foreign poor, who, in some cases, as your Committee are informed, upon authority which cannot be doubted, have been transported to this country at the expense of the parish. The Committee do not wish to be understood as giving any currency to the opinion that all, or any very large proportion of these aliens are paupers; many of them, on the contrary, are men of some property, and likely, in time, to become useful citizens. In the present condition of the country, however, their arrival is deeply to be deplored, for their own sake as well as that of our own native population, who, in vain solicit employment at a very low rate of wages. The authorities, both of Amboy, Newark and Jersey City, will doubtless ask for and obtain from the Legislature of New Jersey, the enactment of such laws as may be required to meet the necessities of the case. For the purpose of ascertaining the sense of the Common Council upon this most interesting and important subject, they beg leave to offer the following resolution:

Resolved, That the Commissioners of the Alms House be, and the same are hereby authorized, if in their judgment they see fit, to contract for the transshipment back to their own

country, with their consent, of such alien paupers as may now be, or are likely to become a public charge at the establishment at Bellevue, or elsewhere, upon such terms and conditions as they may think will best promote the public interest, and at the same time shall prove no prejudice to the cause of humanity

G. W. BRUEN,
J. P. WHITEHEAD.

New York, 19th June, 1837.

OFFICE OF THE COMMISSIONERS OF THE ALMS HOUSE.

At a meeting of the Board, June 12, 1837, the following preamble and resolutions were unanimously adopted :

Whereas the subject of the infraction of the laws of this state, by the introduction into this city, of alien passengers from foreign countries, by way of Amboy, which was brought before the Mayor by a communication from this Board, on the 2d instant, has become increasingly important, by the arrival of several vessels at that port since that time, and the passengers from which have already arrived in this city, therefore

Resolved, That the Common Council be respectfully requested to appoint a committee to proceed forthwith to Amboy, in order to ascertain all the facts relating to the case ; and also to consult with the Authorities of that City, in regard to such measures as it may be in the power of said Authorities to adopt for the prompt remedy of the illegal practice, which

must speedily prove of great injury to the City of Amboy and the State of New Jersey, as well as to this city and state.

Resolved, That a copy of the foregoing be immediately communicated to the Common Council, understood to be now in session. By order.

P. W. ENGS. Chairman.

DOCUMENT NO. 13.

BOARD OF ALDERMEN,

JUNE 26, 1837.

Report of the Committee on Laws, on the Ordinance concerning Dogs. Laid on the table.

THOMAS BOLTON, Clerk.

The Committee on Laws, to whom was referred the "Law concerning Dogs," passed by the Board of Assistant Aldermen, and the Documents accompanying the same,

R E P O R T :

That they have examined the subject with attention, and have come to the conclusion that the proposed law is objectionable on two grounds, which they beg leave to state as briefly as possible.

The 3d section of the ordinance makes it the duty of the Mayor, from time to time, as he shall think proper, to employ persons to kill and destroy dogs, &c.; and in fact it casts upon the Mayor, a great portion of the business and duties of the present Register of Dogs. If these duties should be thought by the Common Council quite consistent with the proper dignity of the Executive Magistrate of the City, yet your Committee is of opinion, that the constant complaints and difficulties every day occurring on this subject, and which might require investigation from the Mayor, would be imposing too great a burden on an officer, whose duties are already sufficiently onerous.

The first section of the proposed law, gives to all persons indiscriminately, a right to kill dogs running at large in the public streets. Your Committee have not been able to convince themselves of the wisdom or expediency of this provision. The result of it, in practice, an unsparing and revolting butchery of dogs, by the idle and the unfeeling, in open day, and in presence of your wives and children. The exhibition of cruelty before the young, and their gradual and progressive participation in it, has always been considered by every moralist, to blunt every finer perception; to harden the heart and prepare the individual for the perpetration of crime. Habitual cruelty to animals, conducts with slow and certain steps, to the entire extinction of all those moral sentiments, which make and keep a man a good neighbor and a good citizen.

Your Committee acting under the influence of the above considerations, and finding it impossible to amend the proposed law, without great labor, have drafted the ordinance, annexed to this report, as a substitute therefor. They have found it necessary to retain the office of Register, in order to charge him with the duties proposed to be imposed on the Mayor. Those duties, your Committee believe have been executed efficiently, by the present Register and with great regard to propriety.

M. C. PATERSON, *Chairman.*

A Law concerning Dogs.

The Mayor, Aldermen and Commonalty of the City of New York in Common Council convened, do ordain as follows:

§ 1. That no dog shall hereafter be permitted to go abroad in any of the streets, squares or public places of this city, without being properly muzzled or led by a chain or string, under the penalty of ten dollars for each offence, to be paid by the owner or possessor of such dog.

§ 2. For every dog which shall be owned or kept in the City of New York, the owner or possessor thereof shall, annually, on or before the first Monday of June, (or if any dog shall subsequently thereto come into the possession of any person, then within one week thereafter) pay to the Register and Collector hereinafter mentioned, the sum of one dollar, under the penalty of ten dollars for each offence; and the said Register and Collector shall keep an alphabetical list of the names of all persons paying such tax, and the number of dogs so registered.

§ 3. The owner or possessor of any dog or dogs shall, on the written request of the said Register, within two days thereafter, deliver to him a written report of the number of dogs owned or possessed by him under a penalty of ten dollars for any neglect so to do, or any false statement contained therein.

§ 4. The Register shall immediately collect the above tax from all persons liable to the same, and on the first Mondays

in September, December, March and June account, under oath, to the Comptroller of the City of New York, for the amount of such tax received by him, deducting a commission at the rate of fifty per cent therefor.

§ 5. A proper person shall be appointed by the Mayor, such Register and Collector of Dogs, during his pleasure, who shall take and subscribe an oath or affirmation, and give a suitable bond, with sureties, faithfully to perform the duties of said office. That it shall be the duty of said Register during the months of June, July, August and September, by and with the aid and assistance of such persons as he shall appoint, with the consent and approbation of the Mayor, to kill and destroy all dogs running loose or at large during the said months, contrary to the provisions of the 1st section of this Act, and cause the same to be removed and buried north of 28th street, or cast into the North or East River; and for every dog so killed, he shall be entitled to receive the sum of fifty cents, from any unappropriated funds in the City Treasury, upon making oath to the same; and that to his knowledge, information or belief, said dog or dogs were not brought into the City, with a view to charge the City with the killing of the same. That the accounts of said Register and Collector shall be audited and certified by the Mayor, and thereupon paid by the Comptroller.

§ 6. No person shall hinder or molest the said Register, or the person or persons so appointed by him, engaged in seizing, killing or destroying any dog or dogs liable to be killed or destroyed by virtue of this Act, or in removing the carcasses thereof, under the penalty of one hundred dollars for such offence.

§ 7. All former laws and ordinances, touching dogs and the appointment and duties of Register and Collector of Dogs, are hereby repealed, provided that nothing herein contained shall be construed to affect any existing suits for penalties already incurred.

DOCUMENT NO. 14.

BOARD OF ALDERMEN,

JULY 3, 1837.

*Semi-Annual Report of the Water Commissioners, from 1st
of January, 1837, to 30th of June, inclusive, &c., &c.—
Ordered to be printed.*

THOMAS BOLTON, Clerk.

*To the Honorable the Common Council of the City of New
York.*

The Water Commissioners beg leave to state, that in accordance with the provisions of the "Act to provide for supplying the City of New York with pure and wholesome water," they have made their semi-annual report to the Comptroller, of receipts and disbursements from the first day of January last, to the 30th of June, inclusive. The whole amount expended from the commencement of their operations under the aforesaid act, is as follows:

From July, 1835, to January, 1836 . .	\$31,828 02
From January, 1836, to July, 1836 . .	12,070 84
From July, 1836, to January, 1837 . .	28,099 58
From January, 1837, to July, 1837 . .	62,602 85
<hr/>	
Total amount disbursed to last date . .	\$134,601 29
Balance remaining in hands of Commissioners	520 28
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Total amount of requisitions on Comptroller	\$135,121 57

There appears a discrepancy between the accounts of the Commissioners and that of the Comptroller, as stated in his annual report and account current for the year 1836, which has arose by charging the Water Loan with disbursements made for examining the feasibility of procuring a supply of water for the city, previous to the vote on the subject by the electors; the decision of the Common Council that a loan should be contracted, or the passage of the ordinance directing the Commissioners to proceed with the work.

To the 1st January, 1837, the whole amount expended by the Commissioners, was	\$71,998 45
There remained a balance in their hands of	3,905 67
<hr/>	
The total sum therefore drawn by requisition on the Comptroller to the 1st of Janu- ary, 1837, was	75,904 12
The amount charged against the Water Loan, as per the Comptroller's statement is . .	87,540 67
<hr/>	
Making a discrepancy of	\$11,636 55

The subjects alluded to in our report of the 9th of January last, as requiring legislative action, have both been passed into laws. First, an act authorizing a change in the city map, so as to dispense with the opening of certain streets running through

the sites designated by the Commissioners for reservoirs on the Island of New York; and second, an act authorizing a change in the route of certain highways and turnpike roads that will be covered with water, by the damming of the Croton River. To this last act, a section was added, while on its passage in the Senate, enjoining on the Commissioners to report semi-annually, to the Common Council, a general exhibition of the state of the work, including a full detail of the amount expended, and of the progress made by them, in furtherance of the contemplated object.

The inference which the Commissioners draw from the twenty-fifth section of the act to provide for supplying the City of New York, with pure and wholesome water, passed the 2d May, 1834, induced them, not only to report to the Comptroller an account current of their expenditures, but also to communicate semi-annually to your honorable body the state and operations on the great work they are engaged in, and they have so reported, except for the first six months after entering on the business confided to their supervision, during which period, the transactions were so similar, that there appeared nothing to report, except the engaging and organizing an Engineer Corps, and the re-running and staking out the line of aqueduct. In complying with the provisions of the act of May the 5th, 1837, therefore, which we do with great cheerfulness, we shall only be carrying out an arrangement previously decided on, as a matter of propriety and duty.

The Commissioners stated in their report of January last, that John B. Jervis, Esq. had been selected and appointed Chief Engineer of the works, and that he entered upon the duties of his office, about the 1st of November, 1836, and also, that we had reason to think, it now might be calculated with some degree of certainty, that at least, a portion of the work would be placed under contract in the spring of the present year.

These anticipations have been fully realized. The maps, drawings, and working plans, having been completed during the

winter, an advertisement was published on the 28th of February, 1837, in four of the city papers, one paper in Albany, one in Utica, one in Hartford, (Connecticut,) and one in the City of Philadelphia, giving notice that proposals would be received by the Water Commissioners until the 24th of April, 1837, at their office in the City of New York, for furnishing the materials and completing the construction of *twenty-three* sections of the Croton Aqueduct, including the dam for forming the reservoir of the Croton River; the Aqueduct Bridge over Sing Sing Kill, and the necessary excavations and tunnelling on the line extending from the Croton River to the village of Sing Sing, between eight and nine miles in length.

The intermediate time between the date of advertising, and that fixed upon for receiving proposals, was employed in perfecting the specifications and contracts of the several parts of the work to be performed, and in procuring their printing and distribution. With a view to accommodate the mechanics of this city, whose information on this description of work, might not be as perfect as those who were accustomed to the execution of contracts on Canals, Railroads and other large jobs, the time for receiving proposals was extended to the 26th of April, 1837.

The offers to contract were received on the day appointed, and the lowest bids for the several sections were as follows:

Section No. 1, which includes the Croton dam,	\$117,558
" " 2	53,094
" " 3	56,732
" " 4	63,268
" " 5	73,747
" " 6	73,262
" " 7	40,319
" " 8	43,994
" " 9	66,202
Amount carried over	<u>\$588,176</u>

Amount brought over						\$588,176
Section No. 10						59,281
“ “ 11						70,244
“ “ 12						56,442
“ “ 13						60,158
“ “ 14						71,348
“ “ 15						144,565
“ “ 16						65,388
“ “ 17						60,866
“ “ 18						33,364
“ “ 19						47,787
“ “ 20						90,685
“ “ 21						40,167
“ “ 22						66,678
“ “ 23						90,276
Total						<hr/> \$1,545,425

There were several bidders on each section offered for contract, at prices, however, exceeding the above, and the whole of the sections might have been disposed of, had the state of our monetary concerns been such as to warrant it.

It may be proper to observe here, that the contracts are not made for a round sum as stated above, but by measurement. Printed blanks are prepared, ruled in columns for every description of work to be performed, and appropriately headed. Thus the different kinds of excavation which will probably occur, is estimated for, separately; such as cemented clay and sand, cemented clay and gravel, quicksand, rock, &c., each has its separate column, and the price charged per cubic yard, is to be entered in it. The same for embankment, back filling, and mason work, whether of brick or stone. Timber, plank and scantling, by the thousand feet, board measure; round timber of a described size by its measured length; iron by the pound, &c., &c. The round sums therefore, are the result of calculation, and may differ a few dollars one way or the

other from the true sum ; but with the help of the specification and profile of the work to be performed, and a pretty accurate knowledge of the description of earth or rock to be excavated, there appears no difficulty in finding the amount of work of each kind to be executed ; which multiplied by the prices proposed, must give the sum total, or nearly so, of the whole job. This kind of estimation is indispensable in order to ascertain the lowest bidders in the aggregate. There are between forty and fifty different kinds of work to be estimated for, on the aqueduct, and for many of these, the offers may differ materially ; and thus a contractor who may offer much higher for one kind of work than another does, may at the same time be the lowest bidder in the aggregate, because on several other descriptions of work, he is much the lowest.

The following sections were selected for contract as best agreeing, both in the sum charged for the work, and in the total amount to be paid, with the views of the Commissioners under present circumstances.

Section No. 1 contracted to Clark Strover & Co. for \$117,558

"	"	2	"	the same	.	.	53,094
"	"	3	"	the same	.	.	56,732
"	"	4	"	the same	.	.	63,268
"	"	5	"	the same	.	.	73,747
"	"	6	"	Brown and Bevins	.	.	73,262
"	"	7	"	Samuel Roberts	.	.	40,319
"	"	8	"	the same	.	.	43,994
"	"	11	"	James Faulkner	.	.	70,244
"	"	15	"	T. N. Farrell	.	.	144,565
"	"	17	"	John McGregory	.	.	60,866
"	"	18	"	the same	.	.	33,364
"	"	20	"	Young and Scott	.	.	90,685

\$921,698

Three years are allowed the contractors for completing their contracts, all of which is to be performed under the special and constant inspection of the Resident Engineer, and his Aids, together with the particular examination of the Chief Engineer, and the general supervision of the Commissioners.

The contractors are all bound by their contract to preserve good order among their workmen, and to prevent, as far as practicable, the use of spirituous liquors by those employed on the works, or in its vicinity. They promise in the words of the contract, "that they will not themselves, or by their agent or agents, give or sell any ardent spirits to their workmen, or any person at or near the line of the aqueduct, or allow any to be brought on the work by the laborers or any other person, and will do all in their power to discountenance its use in the vicinity of the work, by persons in their employ; and that they will not allow any person in their employ to commit trespass on the premises of persons in the vicinity of the work, and will forthwith, at the request of the Commissioners or Engineer, discharge from their employ, any that may be guilty of committing damage in this respect." As yet, no complaints have been made, and the Commissioners entertain the hope, that the evils anticipated by some worthy citizens of West Chester, will not be realized.

Previous to commencing active operations on the line of aqueduct, arrangements were made to place at the head of each party, a competent Engineer as Resident. The whole line, from the Croton to the Distributing Reservoir on the Island of New York, was accordingly divided into four districts, or divisions. The first division to commence at the Croton dam, and extend to the land of Dr. Creighton, about two miles below Sing Sing, and ten miles from the dam. Edmund French, Esq., was appointed Resident Engineer.

The second division to extend from Dr. William Creighton's to the property of Mr. George Harvey, about ten and a half miles from the termination of the first division. Henry T. Anthony, Esq., was appointed Resident Engineer.

The third division to commence at the land of Mr. Harvey and extend to the Fordham Church, about ten miles. The fourth division to commence at Fordham Church and extend to the Distributing Reservoir on the Island of New York, in length about ten and a half miles. The two last divisions it is proposed to consider, for the present season, as only one, it not being convenient to put them under contract until the upper divisions are disposed of. Peter Hastie, Esq., was appointed Resident Engineer. Each Resident to have his Assistant, and as many rodmen and laborers as the state and progress of the work may require.

The country through which our line of aqueduct has to pass, affords, perhaps, as few facilities for the avoidance of labor and expense as any other portion of the State; we are met at every step with deep ravines, which must be passed, either by embankment or bridge; or elevated hills, which must be pierced by a tunnel of more or less extent. The most prominent objects of labor and cost on the first division are, first, the dam across the Croton River. This dam will be fifty feet high, from the bed of the river, and about forty feet from low water level. The top, or lip of the dam, about one hundred feet across; breadth at the bottom about seventy feet, and on the top or lip, seven feet, averaging about forty feet in thickness. The down stream course will slope one and a quarter to one, and the up stream will be carried plumb. The abutments twelve feet thick; the top and down stream slope to be covered with heavy coping, well clamped together with iron anchors and straps, &c. In fact, the whole structure is to be a mass of substantial stone masonry, combined together with hydraulic cement, and, when completed, will be one of the most stupendous erections of the kind to be found in any part of this or any other country.

The next important work in order, is the Aqueduct Bridge across the valley of Sing Sing Kill. This requires an arch of eighty feet span and twenty-five feet rise, resting on abutments of stone masonry, and is intended to be a work of great

strength and solidity. In addition to these, there are several large culverts to be built for crossing the streams and brooks running through this section of the works; some pretty lofty embankments to be made, and four tunnels, of from 300 to 800 feet in length, through hills of more or less altitude.

The most prominent work on the second division, is the crossing Mill River, which must be effected either by an Aqueduct Bridge of heavy stone masonry, or by a large culvert and embankment, the latter of which the Commissioners have preferred. There are also two tunnels in this division, of considerable length, with a number of small culverts for crossing the several ravines and brooks on the line of the aqueduct.

In the 3d division, the crossing of Saw Mill River and Tibbit's Brook occurs, a pretty formidable part of the work. There are two tunnels; one at Yonkers, for entering the valley of Saw Mill River, and the other for entering the valley of Tibbit's Brook.

The fourth division embraces some highly important works. The most imposing is the crossing of Harlaem River, either by an aqueduct bridge or by inverted syphons; next, carrying the aqueduct over Manhattan Valley; and last, though not least, the erection of the receiving and distributing reservoirs in this city.

Here we have a formidable array of work, to exercise the talents of our Chief Engineer, in planning, and the ingenuity of our mechanics and laborers in executing; and if to this be added the great length of the aqueduct to be built, and the large amount of excavation to be effected, in many places from fifteen to thirty feet in depth, and that through a soil abounding with rock, stone and cemented earths, it cannot be wondered at, if the estimates of the Engineers, originally employed to make the necessary examinations, shall fall far short, as the Commissioners have now good reason to think they will, of the sum necessary to bring the project to a successful termination. The Commissioners wish it to be understood, therefore, by your Honorable Body, as their settled opinion, based upon the result of the bids for that portion of the work of-

ferred for contract, and the very high price they have been compelled to pay for land and other privileges required for the works, that the total cost of the project will far exceed the estimates reported to the Common Council; founded upon the data adopted by the Engineers, in their reports dated the 1st of November, 1833; the 25th of January, 1835, and the 1st of February, 1835, all of which reports and estimates may be seen by reference to the Documents of the Board of Aldermen, No. 36, of 1833, and No. 44, of 1835.

The second division of the work will be ready for contract by the 1st of August next; when, if so advised, the Commissioners will issue the necessary proposals for the work and materials of the several sections, and at the same time include the ten sections of the first division, the bids for which were not accepted, in consequence of the deranged state of our monetary matters.

The Commissioners embraced the occasion of their report of the 9th of January last, to state some of the delays and difficulties incident to the proceedings in obtaining possession of the land required for the aqueduct; and that six of the cases, adjudged by the Appraisers in the report of the 8th of November, 1836, had been referred back by the Chancellor for re-examination. We are now enabled to state, that the cases alluded to were finally re-examined and determined on the 20th of April last, and the report of the Appraisers made to the Chancellor on the 13th of May thereafter; it had not been confirmed, however, when this was written.

Allusion was also made to the opposition we had to encounter from some of the land owners in Westchester, who insisted upon remuneration for their property far above the damage they were to sustain by its occupation; and others, who attempted to prejudice the people against the proceedings of the Commissioners, and otherways to embarrass them; and we are now menaced with a suit in the Supreme Court of the United States, by some who were formerly inhabitants of this city.

During the last session of the Legislature, a person interested in the Van Cortlandt estate, presented a petition, signed by some twenty or more of the inhabitants of Westchester, which purported to show, that the act of the 2d of May, 1834, was unconstitutional and void, and therefore that it ought to be repealed. This person attended at Albany during the greater part of the session, and was instrumental in obtaining an unfavorable report in the Senate, on the bill then pending before them, authorizing a change in the route of certain roads that will be covered with water by damming the Croton River; and had not one of the Commissioners proceeded to Albany, and by proper explanations, prevented that result, the bill, so important to the work, would probably have been lost. Again, on the 16th of June last, Richard R. Voris, Esq. as Counsel for Pierre Van Cortlandt, Esq. warned one of our Contractors to discontinue working on the land claimed by the said Van Cortlandt, or proceedings would be commenced against him for trespass. This land was taken by appraisement on the 8th of November, 1836. for which the Appraisers awarded the sum of \$2,350; more than \$100 an acre for land, much of which is steep side-hill, and entirely unfit for cultivation. The money was paid into Court by order of the Chancellor, the estate being an undivided patrimony, belonging to heirs. We have directed our Attorney to defend the suit, should any be commenced against the Contractor, and if a verdict is obtained by the plaintiff in the lower Court, to remove it to a higher tribunal.

In progressing with the work, we have found it necessary in several instances, to obtain the use of sufficient land for a road leading from the highway to the aqueduct; and also, in particular places, earth for embankment, where the quantity excavated from the line of aqueduct was found insufficient. And here a question arose, whether or not the same principle was to govern in requiring the use of this description of property, as in the case of taking the land for the aqueduct and reservoirs, viz.: by mutual agreement between the parties;

or, in the failure of such agreement, by the appraisal of Commissioners. But in order that all doubt might be removed, application was made to the Honorable D. B. Tallmadge, for his opinion on the subject, which has been furnished the Commissioners, and contains an able and lucid exposition of the law. His conclusion is, that the act not only contemplates the use of earth and stone from beyond the line of aqueduct, and the use of a passage way for the transportation thereof, but also the use of such land as may be necessary as a place of temporary deposit for materials. He fortifies this opinion by the positive enactments of the law, and by similar provisions in the canal law of 1817, and the opinion of Chancellor Kent to the same effect; and finally concludes, "that the Commissioners may enter upon neighboring lands, and take therefrom such earth or stone as may be necessary; may transport such materials over intermediate lands, and may use adjacent lands for temporary deposit of materials; and that the owner of the land or materials, or the Commissioners, may apply for Appraisers, to estimate the value of the property or damage done, either before or after the use of the materials or land."

By these and similar occurrences the Commissioners have been prevented, or at least delayed, in obtaining possession of all the land required for the aqueduct and reservoir; which land, however, must be in possession, either by purchase or appraisement, and the purchase money or award, as the case may be, paid or tendered to the owner, before it can be occupied or used by the Commissioners. The utmost the Commissioners have been able to effect, in obtaining the land on the line of equeduct, only extends to the village of Greenburgh, about nineteen miles below the Croton Dam.

The first appraisement extends from the Croton Dam to, and including the land of Joshua Purdy, about two miles in length. The quantity taken was $37\frac{531}{1000}$ acres, and the sum awarded to the owners was \$3,095.

The second appraisal extends from the land of James Bailey to the State Prison farm, in length about seven miles,

The quantity of land taken was $62\frac{1.6.0}{1000}$ acres, and the sum awarded was \$31,515.

The third appraisement commenced on the land of James C. Hale, and extended to that of John Archer inclusive, about six miles in length. The quantity of land taken was $24\frac{7.6.0}{1000}$ acres, and the total sum awarded was \$21,085.

The fourth appraisement commenced on the land of Thomas Boyce, at Tarrytown, and extended to that of Joseph Stymets inclusive, about four miles. The quantity of land taken was $45\frac{9.5.1}{1000}$ acres, and the total sum awarded was \$31,150; making the quantity of land taken by appraisement for the aqueduct, $170\frac{2.9.5}{1000}$ acres, and the aggregate amount paid and to be paid thus far, \$86,845.

In addition to the above, there has been purchased by the Commissioners, several detached pieces of land on different parts of the line, amounting, in the aggregate, to $39\frac{9.3.7}{1000}$ acres, for which they have paid the sum of \$15,051 46; and $264\frac{7.6.3}{1000}$ acres of the land above the dam, and required for the Croton Reservoir.

The Commissioners have also entered into an agreement with Joshua Purdy, for a right of way over his farm, in two places, from the public road to the line of aqueduct, to be two rods wide, and to continue for three years, at the sum of \$160 for the whole term; and if required for any additional time, at the same rate; the necessary fencing to be done by the said Purdy.

Also, with Richard Palmer, for a piece of land of $3\frac{4.1.2}{1000}$ acres; the earth to be excavated and used for embankments, with a right of way to and from the aqueduct, to continue for three years, at \$550 for the whole term, on the same conditions as above.

Also, with Robert Tompkins, for a right of way, to continue three years, at \$180 for the whole term, on the same conditions as aforesaid.

Also, with Henry Lounsberry, for a right of way, to be used three years, at \$125 for the whole term, on the like conditions.

The fourth appraisement was only completed on the 16th day of last month, and has to go through the ordeal of opposition of the owners of the land, when before the Chancellor for confirmation. The reasonableness of this opposition, however, may be estimated by comparing the real value of farms in the county of Westchester, with the price allowed by the appraisers, which was \$31,150 for $45\frac{9}{10}\frac{5}{10}\frac{1}{10}$ acres, equal to \$677 per acre. It is true, the Appraisers, in estimating the value of the land, also add to this value, such sum, as, in their judgment, will remunerate the owner for any permanent or consequential damage to be sustained, while erecting the aqueduct over his farm. This, it is confidently believed by the Commissioners, will be much less than what appears to be anticipated; as the only permanent damage which can be apprehended, will be experienced where a mound of earth is raised above the ordinary level, in covering the aqueduct; and this occurs in but few places on the whole line; the excavations being sufficiently deep, throughout the greater part of the route, to leave it several feet below the surface.

The Commissioners have at all times preferred purchasing the land, at a fair and remunerating price to the owner, whenever the opportunity has occurred, rather than take it by the intervention of Appraisers; and in every instance where purchases have been made, the price paid has been liberal on the part of the Commissioners, and satisfactory to the owners. But when the owners of land insist on a price, which the Commissioners conscientiously believe far exceeding the value, they have no other resource but an appeal to the Court, for the appointment of disinterested men as Appraisers, to examine, ascertain and fix the value of the land required. In all cases, however, where this remedy has been resorted to, the Commissioners have acted with the utmost liberality towards the owners of the land; and have in no instance interfered, or endeavoured to lessen its value, or to reduce, or object to the amount awarded by the Appraisers; while the owners were freely admitted to introduce as much evidence as they deemed

proper, to show the full value of the property to be taken, and the permanent damage they were likely to sustain.

The Commissioners think, therefore, the owners of land have but small reason to complain; especially as the so much calumniated and misrepresented act of 1834, makes ample provision for any consequential injury, by the operations connected with the works, during its progress to maturity. This, however, in many cases, can only be ascertained when the works are completed.

The Commissioners have finally concluded, and they have directed their Solicitor accordingly, to apply to the Chancellor for the appointment of Commissioners of Appraisement, on all the land required for the aqueduct, in fee, situate and lying in the County of Westchester.

The act of May, 1834, under which the Commissioners derive their authority for conducting the operations of this important work, has been found defective in some points, and liable to be misunderstood in others. The Legislature has already passed two amendatory acts, one on the 25th of May, 1835, and another on the 5th of May, 1837; and it is doubtful at least, whether another amendment will not be necessary, in order to authorize the passage of the aqueduct over the Harlaem River. The subject has been deemed of sufficient importance to call for the opinion of Counsel, and application has accordingly been made to the Honorable D. B. Tallmadge, requesting him to examine the provisions of the act of the 2d of May, 1834, and to state whether, under that statute, the Commissioners are authorized to carry an aqueduct bridge over the Harlaem River, without further Legislative authority. His opinion was not received when this report was written.

The Chief Engineer, on the request of the Commissioners, has furnished them with a detailed statement of the probable cost of completing the *ten* sections of the first division of the Croton Aqueduct; and also the probable cost of completing the *second division* of the aqueduct, which will extend the

work about half the distance from the Croton Dam to the City of New York. He has also added the estimated expenses for the temporary use of land, and the incidental expenses of the Engineer Department, for the period of three years, including salaries.

In order that the probable aggregate sum, that will be required to complete the aforesaid work, may be shown, the Commissioners have made an estimate of the cost of land still to be acquired, in the County of Westchester, for the aqueduct, and reservoir on the Croton; and also of the incidental expenses for the said three years, a summary of which will be found below :

For placing the ten sections of the first division	
under contract,	\$ 590,434
Placing the second division under contract	1,322,176
Pay of Engineers, temporary use of land, and	
incidental expenses, including salaries	78,200
	<hr/>
	\$1,990,810

For incidental expenses of Commissioners :

Salaries, Postage, Printing, Appraisers, Travelling, Counsel fees, Stationary, &c.	30,400
Land required for aqueduct in Westchester	62,400
Land required for Croton Reservoir	38,250
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	\$2,121,860

To which add, for thirteen sections of the first division, now under contract

	921,698
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Making a total of	<hr/> <hr/> \$3,043,558
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It appears from the foregoing estimate, embracing about half the length of the aqueduct, if the whole attention of the Commissioners were only to be confined to the completing of the first and second sections of the work, they might not require a much larger sum than that now authorized by the act of the 2d of May, 1834; but the consequence would be, a de-

lay of the consummation of this great and necessary work, for several years beyond the time required for its completion ; a responsibility the Commissioners are not willing to incur, under the circumstances of the case, unless your Honorable Body shall require it, by an ordinance passed for that purpose. It must be recollected, however, *that the people of this city, in their sovereign capacity, have solemnly decided, through the medium of the ballot boxes, and by a large majority, that the necessary funds should be raised, and that the work should proceed.* There may be a reasonable doubt, therefore, whether, in view of these facts, the Common Council are authorized to direct the work, or any part of it, to be abandoned or suspended, without as broad and full instructions from their constituents, as that which directed the work to be prosecuted.

If the Common Council agree with the Commissioners, in their view of this subject, they respectfully recommend, that the remainder of the loan, amounting to \$1,500,000, be contracted for at as early a day as convenient ; and, in due season, they will report to your Honorable Body, an estimate of that portion of the work, not included in the foregoing estimate, in order that authority may be obtained from the Legislature, to raise the additional fund required.

In connection with the question of obtaining authority to raise funds sufficient to complete the whole work, is that relating to the furnishing and laying the pipes for conducting the water through the streets of this city. It appears from a report drawn up by U. Wenman, Esq., on the 16th day of February, 1835, that there were rising 167 miles of pipes required in this city, and that only fifteen miles had then been laid. The estimated expense of laying the 152 miles of pipes, of proper dimensions, was \$1,261,627. This is a serious amount to be drawn from the ordinary taxes and rents of the public property ; and the Commissioners beg leave respectfully to suggest to your Honorable Body, the propriety of including the sum necessary for laying the pipes, with that for complet-

ing the aqueduct, &c., whenever the application shall be made to the Legislature for that purpose.

The Commissioners are informed there is now about twenty-five miles of pipes laid down, which will leave the number of miles still to be laid, at 142. Ten miles a year is said to be as much as can well be done at pipe laying, in a city requiring so constant use of the streets as New York does; and upon this calculation, it would require fourteen years before the streets are prepared with pipes to receive the Croton water; which, the Commissioners have no reason to doubt, may be brought to the city in less than half the time. The pipes now laying, have been examined by a person engaged in the foundry business, who stated to one of the Commissioners, that the iron constituting the pipes, was too hard to admit the drill. If this be fact, it may cause much trouble hereafter, when introducing the water into the houses of our citizens; and the Commissioners have thought the information of sufficient importance to claim the attention of your Honorable Body.

The Commissioners hope your Honorable Body will not consider it intrusive, if they revert, for a moment, to the subject of finance. This important work has too far advanced; the expediency of the measure is too apparent, and the sum already expended too considerable, to authorize a suspension or abandonment of the project. A heavy debt must be contracted by the city; the obtaining the necessary authority to contract such debt; the most proper period for making the loan; the terms upon which such loan ought to be taken, and the management of the money, in order to obtain an interest from it until required for use, are matters deserving the attention of a Committee specially appointed for the purpose.

The construction of the Erie and Champlain Canals, was considered, and was truly, a work of great magnitude, under the circumstances in which the state was placed, in respect to its finances and resources, when the improvements were commenced; although the property and resources of the whole state was bound for the debt incurred for completing them.

In the work we are engaged in, however, the city only is responsible for the debt incurred; and still, in point of magnitude, and amount of expense, the work will fall but little short of that, undertaken and completed by the state. The experience of the State Authorities, in managing the loans and finances connected with the canals, may not be unworthy of attention, when considering similar matters respecting the water works.

As the work on the canals progressed, it was found necessary and expedient to place the finances under the control and management of a distinct Board. For this purpose the Legislature passed an act on the 15th of April, 1817, providing that there shall be constituted a fund, to be denominated the "Canal Fund," to consist of all such appropriations, &c., as may be made for that purpose, by the Legislature of this state; which fund shall be superintended and managed by a Board of Commissioners, to be denominated the "Commissioners of the Canal Fund," consisting of the Lieutenant Governor, the Comptroller, the Attorney General, the Surveyor General, the Secretary of State and the Treasurer, a majority of whom, with the Comptroller, shall be a quorum for the transaction of business. They are to receive, arrange and manage all things belonging to said fund; to borrow, on the credit of the state, such sum as shall be ordered; to pay to the Canal Commissioners the money so to be borrowed, reserving sufficient to pay the interest on the debt; to recommend to the Legislature, from time to time, such measures for the improvement of said fund, as may be deemed proper by the said Board; and to report annually to the Legislature, the state of the said fund, &c.

In addition to the foregoing regulations, the Legislature found it necessary, in 1826, to constitute another Board, consisting jointly of the Commissioners of the Canal Fund, and of the Canal Commissioners, for adjusting complaints for damages sustained; examining any complaints made by the contractors with such other matters as may be referred to them by the

Legislature, and to regulate the tolls to be collected on the canals, &c.

The Commissioners beg leave respectfully to suggest to your Honorable Body, therefore, the consideration, whether an arrangement, somewhat similar to that adopted by the state, would not be advisable, in the management of the finances, and other matters, relating to the great work of supplying this city with pure and wholesome water; such, for instance, as constituting a Board of Commissioners, to be denominated *the Commissioners of the Water Fund*, consisting of the Mayor, the Comptroller, the Counsel of the Corporation, the Street Commissioner and City Chamberlain, who shall receive, arrange and manage all matters relating to the money raised or appropriated for the water works; to borrow, on the credit of the city, such sums as shall be authorized by the Common Council; and to make such temporary investments of the money, on interest, as the nature of the case may admit; and to recommend to the Common Council such measures relative to the matters in their trust, as they may deem proper and necessary.

In a work of such magnitude, and which will require a number of years to complete, it is but reasonable to expect many cases will arise, requiring adjustment. Applications will be made to the Common Council for relief, by those who may imagine themselves aggrieved by the operations of the works. Contractors may require allowances for extra work, not authorized by the tenor of their contracts; and the owner of land may deem himself damaged beyond the award of the appraisers. These and similar complaints might be adjusted by a Board consisting of the Commissioners of the Water Fund and of the Water Commissioners, jointly, to be designated by the appellation of the *Water Works Board*; who would relieve the Common Council from the consideration of many matters of litigation and perplexity, and allow them to devote their time and talents to interests of much more importance to the city, than those claims and matters would be.

The following is an account furnished by the Chief Engineer, of the progress made by the contractors, on the respective sections of the work, viz :

Sections 1 to 5, inclusive, Clark Strover, & Co.,	
contractors, have performed work to the	
amount of	\$ 450 00
Section 6 Brown and Bevens, contractors	421 00
" 7 and 8 Samuel Roberts, contractor	1,247 00
" 11 James Faulkner, contractor	1,092 00
" 15 T. N. Ferrell, contractor	1,333 00
" 17 and 18 John McGregor, contractor	50 00
" 20 Young and Scott, contractors	2,392 00
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Total	\$6,985 00

The mode of payment provided by the contracts, makes it necessary that the work performed, should be measured and estimated monthly, and payment made conformable to such estimate, after deducting ten per cent. as a retainer. The above is the first measurement and estimate, and only comprises a portion of the month of June, much of the time having been employed in erecting the necessary shanties and providing the provisions and stores for the use of the workmen. The number of men employed on the 27th of June last, was 390, and it is expected that the force would be materially increased during the present month.

The following is a list of the Engineer Corps, attached to each division of the work, with the amount of their monthly pay. Besides which, the annual salary of the Chief Engineer, John B. Jervis, Esq., is \$5,000 00

1st Division.

Edmund French, Resident,	per month	\$125 00
Thomas J. Carmichael, Draftsman,	"	125 00

Marlborough Churchill, 1st Assistant, per month	.	\$75 00
M. O. Davidson, 2d do.	"	60 00
George S. Wise, Rodman,	"	40 00
Lloyd J. Brooke, do.	"	40 00
John Riley, laborer,	"	32 50
William Rooney, do.	"	32 50
John Hennesey, do.	"	26 00

2d Division.

Henry T. Anthony, Resident,	per month	\$125 00
Arthur B. Lansing, 1st Assistant,	"	75 00
Charles A. Righter, Rodman,	"	40 00
Patrick McCormick, laborer,	"	32 50

3d and 4th Divisions.

Peter Hastie, Resident,	per month	\$125 00
William Jervis, 1st Assistant,	"	100 00
James Renwick, jr. 2d do.	"	60 00
William O'Buchannan, Rodman,	"	40 00
John Squires, laborer,	"	39 00

The Commissioners have, perhaps, entered too much into detail on some of the subjects referred to in this report, but they have deemed it called for, by the 11th section of the act of the 5th of May, 1837, and have also presumed, that every transaction would be considered important by your Honorable Body, and by our citizens generally, in any measure relative to a work of so great difficulty, magnitude and expense, as that of supplying this metropolis with pure and wholesome water.

A monthly report from the Chief Engineer, detailing the progress of the work, and other matters connected with it, is uniformly made to the Commissioners; and in order that your Honorable Body may see the tenor of these reports, *that* for the month of June is herewith submitted. We also present a general account current from the 7th of July 1835, to the 30th

of June, 1837, of our receipts and expenditures, under the act of the Legislature passed the 2d May, 1834.

All which is respectfully submitted.

STEPHEN ALLEN, SAUL ALLEY, WILLIAM W. FOX, CHARLES DUSENBERRY, THOMAS T. WOODRUFF,	}	<i>Water Com- missioners.</i>
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*Office of the Water Commissioners, }
New York, July 1, 1837. }*

MONTHLY REPORT.

NEW YORK, 30th JUNE, 1837.

To the Board of Water Commissioners for the City of New York :

GENTLEMEN,

Since my report of the 31st ult., the business of the Engineer Department has proceeded much as was then anticipated. Mr. French and his party have been occupied in laying out and superintending the work under contract on the first division. Mr. Charmichael would have completed the work of setting the land-monuments through the second division, had not the land owners, near Dobbs' Ferry, objected to his work ; and it was deemed advisable to suspend it for the present.

The soundings that have been made in Harlaem River, indicate the necessity of extending them still further ; and as there is no masonry yet commenced, to occupy him on the first division, I have thought it advisable to have Mr. Carmichael improve the time to complete, or at least extend, these examinations.

Mr. Anthony and his party, have been occupied, the greater part of the month, in setting land-stakes, traversing roads, &c., to prepare the map of the second division for letting contracts ; attending the apprisers, and other general duties on the second division.

Mr. Hastie suspended his surveys on the island, early in the month, in order to examine the line between the upper end of the third division and Harlaem River. The main objects of examination were, to ascertain if more land would be required, at any point, for permanent occupation, than was designated on the land-maps; and the facilities of obtaining materials, at several points, for embankments; and to make surveys and examinations in relation to roads that intersect the line, that run near to, and parallel with it; and the advantages afforded to make temporary roads, to increase the facilities for approaching the line for work. Mr. Hastie has ascertained that an additional quantity of land will be wanted at several places, and new maps of the same will be prepared in a few days, and submitted for the consideration of the Board.

I have recently made a more full examination of the line between Saw Mill River and the village of Hastings, than I have had an opportunity of doing before; and am of the opinion the line may be improved, by slight alterations, at several points; particularly on Dykeman's lands, and near Yonkers. I shall have instrumental examinations made, and will submit the result, as soon as ascertained, which will probably be in ten days.

I have concluded an arrangement with Mr. Hunt, for a right of way, and land for an embankment, at Indian Brook, on the north end of section fifteen, for which he is to be paid \$550. The lease is to be prepared, and the money paid, early next week.

An abstract of the estimated amount of work done, and the number of men employed on the line of work, is herewith submitted.

The total amount of work done is \$6,985, subject, by contract, to a deduction of ten per cent, leaving the amount to be paid \$6,288.

It will be seen the whole number of men employed, is 390. Laborers and mechanics are constantly coming in, seeking

for employment, much beyond the present means of the contractors to furnish employment for them. Such is the urgency of the men to find work, that many instances have occurred of their offering to work for their board, and I have been informed a few are actually working on these terms.

I have urged the contractors to extend their arrangements, to enable them to increase their force as rapidly as can be done, with a due regard to economy ; and I have reason to believe they will be able to double their force during the ensuing month.

Respectfully submitted by your obedient servant,

JOHN B. JERVIS,

Chief Engineer N. Y. W. Works.

General Statement of the Affairs of the Company		
1880	1881	1882
1883	1884	1885
1886	1887	1888
1889	1890	1891
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The Comptroller of the City of New, York in account

Dr.

1835

July	7	To Cash paid Wilhelmus Garrison for real estate	\$8,000 00
	27	Incidental expenses . . .	2 37
	31	E. and G. W. Blunt for compass and tripod	45 00
August	7	Pay of Engineer party for July	326 13
	11	L. Disbrow's bill for boring im- plements	81 00
Sept.	1	Salaries of Water Commission- ers, one quarter . . .	1,125 00
		Incidental expenses . . .	38 82
		Pay of Engineer party for August	446 90
	5	Salary of Clerk, one quarter .	150 00
	8	J. B. Jansen for stationery for Engineer party . . .	19 94
	11	J. F. Sibell for books and station- ery for Commissioners .	56 46
	22	Monmouth Miller for real estate	2,364 00
Oct.	2	Aaron Ward, per W. Garrison Incidental expenses on purchase of real estate	5 00 43 62
	6	Pay of Engineer party for Sep- tember	416 90
		D. B. Douglass, Chief Engineer, one quarter salary . . .	1,125 00
	7	Whiting Raymond for real estate	1,170 00
	9	Isaac L. Tompkins do. .	651 44
	21	Israel Lyon do. \$266 50 Cornelius F. Ferris do. 4,000 00	
			<hr/> 4,266 50
Amount carried over			<hr/> \$20,334 08

with the Water Commissioners of the City of New York.

Cr.

1835

July	7	By Cash	.	.	.	.	.	\$13,000 00
Sept.	22	do.	.	.	.	.	.	2,364 00
Oct.	2	do.	.	.	.	.	.	5 00
	7	do.	.	.	.	.	.	1,170 00
	9	do.	.	.	.	.	.	651 44
	21	do.	.	.	.	.	.	4,266 50
	27	do.	.	.	.	.	.	1,075 00
Nov.	3	do.	.	.	.	.	.	1,600 00
	4	do.	.	.	.	.	.	1,800 00
	13	do.	.	.	.	.	.	5,543 90
	14	do.	.	.	.	.	.	202 80
	20	do.	.	.	.	.	.	879 00
Dec.	2	do.	.	.	.	.	.	578 12

Amount carried over

\$33,135 76

Dr.

		Amount brought over	\$20,334 08
1835			
Oct.	27	Solis Vantine for real estate . . . \$800 00	
		Daniel Baker for real estate . . . 275 00	
			1,075 00
	30	Incidental expenses . . .	43 79
Nov.	3	William Flewwelling for real estate	1,600 00
	4	Executors of D. D. Webbers, deceased, for real estate . . .	1,800 00
	6	Pay of Engineer party for Oct.	391 13
	13	Zilla & Zilpah Higgins for real estate \$393 90	
		Catharine Craft for real estate 150 00	
			543 90
	14	Solomon and Peter Haines for real estate	202 80
	17	Salaries of Commissioners, one quarter	1,625 00
	20	Jesse Lounsberry for real estate	879 00
Dec.	2	Henry Griffin do.	578 12
	5	Salary of Clerk, one quarter . . .	150 00
	11	Pay of Engineer party for Nov.	396 44
	22	George W. Cartwright, for surveying and mapping	319 55
	30	D. B. Douglass, Chief Engineer, one quarter salary	1,125 00
		Pay of Engineer party for Dec.	738 30
		Incidental expenses	30 91
		Balance to new account	1,302 74
			<u>\$33,135 76</u>

	Cr.
Amount brought over	\$33,135 76

\$33,135 76

Dr.

1836

Jan.	8	To cash paid Enginecr Department	\$312 77
	30	Pay of Engineer party for Jan.	599 10
Fcb.	16	Salaries of Water Commission-	
		ers, one quarter	1,250 00
	27	Squire Wood for real estate .	150 00
March	5	Salary of Clcrk, one quarter .	150 00
		Pay of Engineer party for Feb.	546 91
	15	Incidental expenses . . .	30 00
	30	Engineer Department . . .	33 06
April	2	Pay of Engineer party for March	531 66
		D. B. Douglass, Chief Engineer,	
		one quarter salary	1,125 00
		Engineer Department . . .	82 75
	14	Stephen Purdy for real estate .	700 00
May	3	Pay of Engineer party for April	670 30
	17	William Ricketts for real estate	1,385 50
		Salaries of Water Commission-	
		ers, one quarter	1,250 00
June	1	Pay of Engineer party for May	829 36
	4	Incidental expenses . . .	23 90
	6	Salary of Clcrk, one quarter .	150 00
	14	Incidental expenses for printing .	12 50
	30	Incidental expenses . . .	27 75
		D. B. Douglass, Chief Engineer,	
		one quarter salary	1,125 00
		Engineer Department . . .	108 37
		Pay of Engineer party for June	976 91
		Balance	1,467 40

\$13,538 24

1836

Cr.

Jan.	1	By balance brought forward . . .	\$1,302 74
Feb.	9	Cash	5,000 00
	27	do.	150 00
April	14	do.	700 00
May	14	do.	5,000 00
	17	do.	1,385 50

\$13,538 24

Dr.

1836

Aug.	6	To Cash for real estate, expenses incidental thereto	\$ 54 15
		Pay of Engineer party for July	959 50
16		Salary of four Water Commissioners, one quarter	1,000 00
20		Real estate, expenses incidental thereto	26 56
		Henry Lounsberry for real estate	550 00
27		Joseph Auser do.	50 00
30		Salary of S. Alley, Water Commissioner, one quarter	250 00
		William J. Horton for real estate	125 00
31		Pay of Engineer party for Aug.	1,076 62
Sept.	5	Salary of Clerk, one quarter	250 00
	6	Phœbe Fowler for real estate	50 00
	8	Isaac Coutant do.	189 50
	9	Richard Palmer do.	640 00
		Aaron Ward, Esq. professional services, on account	115 00
13		Edmund Bird for real estate	\$207 45
		Edmund J. Ryder for real estate	64 06
			<hr/>
			271 51
27		Incidental expenses	54 88
		Real estate, expenses incidental thereto	13 39
Oct.	4	D. B. Douglass, Chief Engineer, salary one quarter	1,125 00
		Pay of Engineer party for Sept.	1,145 33
11		Incidental expenses	43 75
			<hr/>
		Amount carried over	\$7,990 19

Dr.

		Amount brought over	\$7,990 19
1836			
		<i>Real Estate.</i>	
Oct.	12	Jas. Palmer's land \$700 00	
		Joshua Purdy's 500 00	
		Zopha Palmer's 45 00	
		John Griffin's 1,850 00	
			3,095 00
	18	Thomas O'Brien for real estate	268 35
	25	Engineer's Department . .	179 56
	26	David Oakley for real estate .	255 25
Nov.	1	Pay of Engineer party for Oct.	1,164 83
	2	Gilbert Hatfield for real estate	368 25
	7	Engineer Department \$375 62	
		D. B. Douglass, Chief Engineer, salary in full	431 50
			807 12
	12	Real estate, expenses incidental thereto \$158 62	
		Engineer Department 14 63	
			173 25
	15	Salary of three Water Commis- sioners, one quarter . . .	1,250 00
	19	Salary of two Water Commis- sioners, one quarter . . .	500 00
	29	Incidental expenses . . .	42 23
Dec.	1	Pay of Engineer party for Nov.	1,016 91
		<i>Real Estate.</i>	
	2	John Sing's land \$3,500 00	
		Willet Holme's 450 00	
		Russel Barnum's 350 00	
		John Hoag's 300 00	
		Michael Lent's 250 00	
		Robert Acker's 125 00	
			4,975 00
		Amount carried over	\$22,085 94

Cr.

Amount brought over

\$32,005 26

Amount carried over

\$32,005 26

Dr.

		Amount brought over	\$22,085 94
1836			
Dec.	5	Salary of Clerk, one quarter .	250 00
	13	Real estate, expenses incidental thereto	23 25
		Engineer Department . .	64 25
	20	do. . . .	44 82
	27	Real estate, amount of the estate of heirs of Waller . .	2,500 00
	28	Real estate, amount of Elias Auser	2,200 00
	31	Pay of Engineer Department for December	931 33
		Balance	3,905 67
			<hr/>
			\$32,005 26
			<hr/>

1837

Jan.	4	To Cash paid Engineer Department	\$ 11 63
	9	William Lane for real estate .	2,000 00
		Engineer Department . . .	19 71
	13	William H. Peck for real estate	400 00
	18	James Bailey do.	1,100 00
	31	John B. Jervis, Chief Engineer, salary, one quarter . . .	1,250 00
		Pay of Engineer party for Jan.	455 00
		<i>Real Estate.</i>	
Feb.	2	Robert Tompkins \$550 00	
		Gabriel Purdy . 900 00	
		Van Courtlandt's estate 2,350 00	
		J. Acker . . 200 00	
			<hr/>
			4,000 00
			<hr/>
			Amount carried over
			\$9,236 34

	Cr.
Amount brought over	\$32,005 26

\$32,005 26

1837

Jan.	1	Balance brought forward	.	.	.	.	.	\$3,905 67
	11	By Cash	.	.	.	.	.	2,000 00
	18	do.	.	.	.	.	.	400 00
	23	do.	.	.	.	.	.	1,100 00
Feb.	2	do.	.	.	.	.	.	7,630 06
March	13	do.	.	.	.	.	.	5,000 00
	28	do.	.	.	.	.	.	1,633 60
April	14	do.	.	.	.	.	.	2,160 00
	19	do.	.	.	.	.	.	1,000 00
	27	do.	.	.	.	.	.	4,025 00
	29	do.	3,400 00
May	1	do.	6,350 00
	15	do.	950 00
	20	do.	3,500 00

Amount carried over	\$43,054 33
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Dr.

		Amount brought over	\$9,236 34
1837			
<i>Real Estate.</i>			
Feb. 2	J. Knowlton	2,200 00	
	Albert Auser	00 06	
	Edward Auser	300 00	
	William Brewster	30 00	
	Jesse Bishop	1,100 00	
		<hr/>	3,630 06
18	Salaries of five Water Commis- sioners, one quarter		1,375 00
	Engineer Department		25 80
	Real estate, expenses incidental thereto		25 56
28	Pay of Engineer party for Feb.		455 00
March 6	Engineer Department		38 22
	Real estate, expenses incidental thereto		174 43
13	Salary of Clerk, one quarter		250 00
28	Benjamin Butman for real estate		533 60
29	Pay of Engineer party for March		573 08
	E. and M. Kemeys for real estate		1,100 00
	Real estate, expenses incidental thereto		12 00
April 10	Engineer Department		7 75
12	James C. Hale for real estate	\$1,700 00	
	Wm. Areson for real estate	460 00	
		<hr/>	2,160 00
14	Abraham Leggett for real estate		1,000 00
19	Engineer Department		76 10
			<hr/>
		Amount carried over	\$20,672 94

		Amount brought over					<i>Cr.</i>
1837.							\$43,054 33
May	22	By Cash	.	.	.	.	6,500 00
	26	do.	.	.	.	.	150 00
June	1	do.	.	.	.	.	7,700 00
	9	do.	.	.	.	.	4,000 00
	27	do.	.	.	.	.	1,718 80

Amount carried over

\$63,123 13

Dr.

		Amount brought over	\$20,672 94
1837			
April	26	Richard Austin for real estate	2,100 00
		Barney Davids do.	750 00
		Albert Minnerly do.	650 00
		James Jones do.	350 00
		Cornelius Jones do.	175 00
			<hr/>
			4,025 00
	27	J. B. Jervis, Chief Engineer, one quarter salary	1,250 00
	28	Caleb Wildey for real estate	\$2,300 00
		Jacob L. Mott do.	\$1,100 00
			<hr/>
			3,400 00
		Aaron Ward, for professional services, on account	137 00
	29	Real estate, expenses incidental thereto	74 25
		Incidental expenses	50 80
		Pay of Engineer party for April	848 97
May	1	William B. Lawrence, real estate	6,350 00
		Real estate, expenses incidental thereto	35 00
	2	Engineer Department	598 81
	5	do. do.	16 50
	8	Baptist Church of Mount Pleasant, real estate	950 00
	17	John Archer for real estate	3,500 00
	20	Engineer Department	183 00
	22	Heirs of Jesse Bishop for real estate	150 00
			<hr/>
Amount carried over			\$42,242 27

	Cr.
Amount brought over	\$63,123 13

Amount carried over	<u>\$63,123 13</u>
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Dr.

	Amount brought over	\$42,242 27
1837		
May 23	Salary of four Water Commissioners, one quarter . . .	1,025 00
26	Jacob Mott for real estate . . .	1,500 00
27	Salary of one Water Commissioner, one quarter . . .	250 00
31	Pay of Engineer party for May	1,065 91
June 1	Joseph Hunt for real estate . . .	2,000 00
2	Lease from Joshua Purdy for right of way	160 00
3	S. L. and N. L. Mott for real estate	2,500 00
5	Salary of Clerk, one quarter . . .	250 00
6	Engineer Department	349 16
7	Stephen A. Halsey for real estate	4,000 00
	Leases from sundry persons, for right of way and other privileges	855 00
8	Engineer Department	34 96
10	Incidental expenses	27 26
14	Abraham Storms for real estate	3,200 00
19	Engineer Department	92 00
20	Real estate, expenses incidental thereto	170 84
27	David Horton for real estate \$1,000 00	
	Jacob Varian do. 480 60	
	Isaac Post do. 238 20	
		1,718 80
30	Pay of Engineer party for June	1,161 65
	Balance	520 28
		<hr/>
		\$63,123 13
		<hr/>

	Cr.
Amount brought over	\$63,123 13

Balance brought forward

\$63,123 13

\$520 28







DOCUMENT NO. 15.

BOARD OF ALDERMEN,

JULY 17, 1837.

The Committee on Public Lands and Places, to whom was referred the Memorial of the Trustees of the Public School Society, presented the following report, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Public Lands and Places, to whom was referred the annexed memorial of the Trustees of the Public School Society, beg leave to

REPORT:

That the ground on which Public School House No. 1, now stands, was formerly held by the State, under a lease from the Corporation of this city, and was occupied by an Arsenal. It

was relinquished to the city for the purpose of being conveyed, by a perpetual lease, to the Public School Society, and was accordingly so conveyed.

The Society allege that when measures were commenced for the extension of Centre street, a Committee of their Body was appointed to protect the interest of the Institute in the premises. That Committee had an interview with the Commissioners, and distinctly understood that only so much of the Society's property as was required for the street would be taken, and that the \$22,000 awarded, was for the portion so taken. The maps in the office of the Street Commissioner, which were examined by the Committee of the Public School Society, and a copy of which was submitted to the Board of Trustees, certainly go to sustain this view of the subject. The Trustees of the Society aver, and evidently believe, that in the progress of the business, the plan was made to embrace the whole of the ground, without a corresponding increase of the sum awarded. Your Committee will not assume to determine this question, but are satisfied that the sum awarded is very much short of the value of the lease to the Public School Society. The Trustees state, that the amount to be received by them, is about, if not exactly, the sum expended on the lot in converting it into, and sustaining it as a school building; and that the practical operation of the assessment is, to deprive them of this valuable lease, without any compensation or equivalent whatever.

The Trustees do not ask or expect any change in the assessment for extending Centre street; their object is, to bring the subject fairly before the Corporation, and ask for the protection of a highly important public interest, of which they are the more immediate and special guardians. They further state, that the school in question is the only one in the four lower wards; and that the School Commissioners, as well as the Aldermen and inhabitants of those wards, have from time to time urged the Society to erect additional School Houses in the lower part of the city; that the want of an additional

Public School has been felt and acknowledged; but that the high price of land, and the limited pecuniary means of the Society, have prevented a compliance with this reasonable expectation. It was under these circumstances that the Trustees of The Public School Society, in the memorial referred to your Committee, ask to retain the portion of the land not required for the extension of Centre street; and a lease of so much of Tryon row as will be necessary for the erection of a handsome and convenient school edifice. They urge, as an additional reason for a school house in the lower part of the city, that they require a commodious apartment, in a convenient situation, in which to hold the frequent meetings rendered necessary by the arduous duties they have volunteered to perform.

Having in view the foregoing considerations, and deeply impressed with the propriety of meeting the reasonable expectations of the residents in the lower wards, your Committee cannot hesitate in recommending the appropriation of a lot to the purposes referred to. The suggestion in the memorial, that a handsome Public School Edifice, in the vicinity of the other public buildings, would be highly appropriate, and in keeping with the genius of our political institutions, based, as they are, on the intelligence of the people, meets the full accord of your Committee. But as Tryon row cannot be closed without legislative action, and as the measure would probably be deemed inexpedient, your Committee propose that the ground fronting on Chambers and Reed streets, and now forming part of Cross street, be leased to the Public School Society, on the same terms, and under the same restrictions, as those contained in the lease of the land lately held by the Society.

They beg leave to offer for the consideration of the Board, the following resolution, as the substance of their report:

Resolved, That the ground fronting on Chambers street and on Reed street, and now forming part of Cross street, be leased to the Public School Society, upon the same terms and condi-

tions as the ground recently occupied by them in Chatham street; reserving to the Corporation the right of appropriating the basement story of any edifice that may be erected thereon, in such manner, and for such purpose, as the Common Council may direct; and that the Counsel of the Board take the necessary measures to carry this resolution into effect.

G. W. BRUEN,

M. C. PATERSON.

New York, 17th July, 1837.

DOCUMENT NO. 16.

BOARD OF ALDERMEN,

JULY 17, 1837.

The Committee on Laws, to whom was referred the petition of William I. Morrison and others, relative to issuing of small bills, was laid on the table, and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Laws, to whom was referred the petition of William I. Morrison, and other citizens of New York, and also the petition and resolutions of a meeting of residents of the 14th ward,

REPORT:

That the petitioners are desirous that this Corporation should issue notes of a small denomination. Your Committee have no doubt that such a currency would greatly facilitate

the operations of trade, embarrassed as it is at this moment by the deficiency of small change, and they have considered the subject with all the deliberation which is due to the number and respectability of the petitioners, and the very interesting question it presents. While on the one hand we ought to be desirous to meet the just wishes of our constituents, and to cherish and protect the trade of this community, by proper and well considered regulations, we are equally bound not to exceed the powers with which we are invested, and transcend the limits of the law, which we all are alike bound to obey.

The Revised Statutes, part 1, chap. 20, title 20, sec. 6, 7, provide, "that no body corporate, except such as are *expressly* authorized by law shall issue any bills or promissory notes for the purpose of loaning them or putting them in circulation as money, unless thereto specially authorized by law;" and "every member of a Corporation who shall contravene this provision, directly or indirectly, or assent to such violation, shall forfeit one thousand dollars." The Legislature, deeply impressed with the policy embraced in the statute, have expressed their will more strongly, if possible, in part 1, title 3, chap. 18, sec. 4—"No Corporation, created or to be created, and not expressly incorporated for banking purposes, shall *by any implication or construction*, shall be deemed to possess the power of issuing bills, notes or other evidences of debt upon loan, or for circulation as money."

Your Committee, believing that this Corporation have not only no power to issue the currency prayed for by the petitioners, but that they are prohibited from so doing under heavy penalties, recommend the passage of the following resolution:

Resolved, That it would be contrary to law to issue such small notes as are prayed for by the above petitioners.

M. C. PATTERSON,
D. RANDELL.



DOCUMENT NO. 17.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Street Commissioner, of the Contracts made in his Department, &c. Laid on the table and ordered to be printed.

THOMAS BOLTON, Clerk.

Resolved, That the Street Commissioner be directed to report to this Board the several contracts made in his department, now in progress of completion; the names of the several contractors; the times at which the several contracts were to have been completed, as well as the time when the several contracts were entered, into and what penalties have been incurred in consequence of the non-fulfilment of contracts.

The Street Commissioner, to whom was referred the annexed resolution to report to the Board of Aldermen, the several contracts made in his department, now in progress of completion; the names of the several contractors; the times at which the several contracts were to have been completed; as well as the time when the several contracts were entered into; and what penalties have been incurred in consequence of the non fulfilment of contracts, respectfully

REPORTS:

That in conformity to said resolution, he has prepared a statement, exhibiting the information desired, which is hereunto annexed.

JOHN EWEN, Jr. *Street Commissioner.*

*Street Commissioner's }
Office, July 7, 1837. }*

Description of Contract.	Name of Contractor.	Date of Contract.	Time for Completion.	Penalty.
Low grounds between 105th and 108th streets and the 6th and 7th avenues, filling up.	Charles Johnson	May 19, 1837	July 1, 1837	\$ 200
Forty-second street, regulating, from Bloomingdale road to 10th avenue . . .	Patrick Doherty	29, "	Nov. 1, "	1,000
Sewer in 17th street, from 3d avenue to Irving place . . .	George A. Furst	14, "	Oct. 1, "	1,000
Iron railing around Union place . . .	John C. Robertson	Aug. 22, 1836	Nov. 1, 1836	10,000
Sewer in Lexington avenue, from 22d to 28th street . . .	American Cement Co.	5, "	" "	10,000
Sun Fish Pond, filling . . .	Robert Pettigrew	Jan. 22, "	} 1,000 loads per day, from 1st March, 1836.	5,000
Tenth avenue, regulating and grading, from 33d to 40th street . . .	Wandell and Doherty	June 10, "	July 1, 1837	5,000
Eighth avenue, Macadamizing, from 42d to 57th street . . .	Wandell and Doherty	Oct. 21, "	May 1, "	3,000
Sidewalks of 9th street, between Broadway and 6th avenue . . .	Archibald Tappen	June 15, 1837	Sept. 1, "	100
Sidewalks of Hudson street, between Hammond street and 9th avenue . . .	Archibald Tappen	" "	" "	100
Sidewalks of 21st street, between Bloomingdale road and 3d avenue . . .	Daniel French	Nov. 23, 1836	Dec. 15, 1836	1,000
Essex Market, flagging at . . .	Bozabel Smith	May 26, 1837	July 1, 1837	1,000
Third ave. regulating, from 114th to 125th st.	Meggs and Hubbs	March 13, "	Aug. 1, "	5,000

Description of Contract.	Name of Contractor.	Date of Contract.	Time for Completion.	Penalty.
Twenty-fifth street, regulating, from 4th avenue, to Old Post road . . .	George A. Furst	Oct. 27, 1836	Aug. 1, 1837	\$ 100
Sixth street, regulating, from avenue A to C	Peter Smith	May 5, " "	Dec. 1, 1836	1,000
Sewer from Catherine Market to the Bulkhead	George A. Furst	July 11, 1837	Aug. 10, 1837	100
Tompkins square, filling . . .	Christopher Keys	July 7, " "	Sept. 7, " "	500
Do. do. . .	James Robinson	" " "	" " "	500
Do. do. . .	James Foster	" " "	" " "	500
Do. do. . .	A. D. Tompkins	" " "	" " "	500
Sewer in 122d street, from 3d avenue to Harlaem River . . .	John C. Tucker	May 4, " "	Oct. 1, " "	1,000
Sewer in Waverly place, from 5th to 6th avenue . . .	John Flint	June 20, " "	" " "	1,000
Elighth street, filling, between avenue B and D	Christopher Keys	Oct. 22, 1835	May 1, 1836	1,000
114th street, regulating from 3d avenue to Harlaem River . . .	William J. Coggy	March 20, 1837	June 1, 1837	1,000
Avenue C, regulating from 3d to 13th street	Alexander Laird	Nov. 12, 1836	" " "	1,000
Beaver street, regulating and paving, from William to Pearl street . . .	Robert Pettigrew	July 10, 1837	Aug. 1, " "	500
William street, regulating and paving, from Wall street to Hanover square . . .	Peter Smith	June 13, " "	" " "	1,000
William street, regulating and paving, from Pine street to Maiden lane . . .	Robert Pettigrew	" " "	" " "	100
Broome street, repaving, from Bowery to Allen street . . .	Patrick M'Barron	June 9, 1837	" " "	1,000

Description of Contract.	Name of Contractor.	Date of Contract.	Time for Completion.	Penalty.
Water and Front streets, repaving, between Old and Counties slip	William Beard	May 26, 1837	July 1, 1837	\$ 500
Eighth avenue, regulating and setting curb and gutter stones, from 24th to 40th street Essex Market, paving at	Thomas Cummings Peter McGlynn	1, 1836 18, 1837	May 1, " June 15, "	1,000 1,000
Seventh avenue, paving, from Greenwich lane to 21st street	Thomas Cummings	March 1, "	Aug. 1, "	1,000
Chatham street, paving, between Pearl and Mott streets	Samuel Boyd	May 15, "	July 1, "	1,000
South street, paving, from Rutgers street to Clinton street	William Beard	April 28, "	" " "	1,000
129th street, paving, from 3d to 8th avenue	Meggs and Hubbs	20, "	Nov. 1, "	1,000
125th street, regulating, from 4th to 8th avenue	William Beard	June 10, "	" " "	500
Third avenue, Macadamizing, from 114th to 125th street	Meggs and Hubbs	June 1, "	June 1, 1838	2,000
Low grounds, filling up, between 116th and 118th streets and 5th and 6th avenues	John Quinn	May 3, "	Aug. 1, 1837	1,000
Tenth avenue, regulating, from 40th to 50th street	Samuel S. Wandell	Nov. 23, 1836	Jan. 1, "	5,000
Third avenue, regulating, from 109th to 125th street	Meggs and Hubbs	May 13, 1837	Aug. 1, "	5,000
Sewer in 13th street, from 6th avenue to Wooster street	George A. Furst	Nov. 15, 1836	Dec. 1, "	5,000

Description of Contract.	Name of Contractor.	Date of Contract.	Time for Completion.	Penalty.
Mill street, paving with blocks of wood, from William to Broad street . . .	Randall, Fish and Co.	March 24, 1837	July 1, 1837	\$5,000
Regulating sidewalks of 3d avenue, from 40th to 61st street . . .	Peter Quinn	30, "	Sept. 1, "	2,000
Sewer west side of 3d avenue, from 13th to 17th street . . .	George A. Furst	May 14, "	Oct. 1, "	1,000
Fencing vacant lots in 11th ward, south of 5th street . . .	Charles B. Tappen	June 21, "	Sept. 1, "	500
Sewer, on each side 3d avenue, from 22d to 26th street . . .	George A. Furst	Nov. 15, 1836	Dec. 1, "	500
114th street, curb and gutter stones, from 3d avenue to East River . . .	Hubbs and Meggs	April 21, 1837	Sept. 1, "	1,000
Eighty-sixth street, regulating and setting curb and gutter stones, from 3d to 5th av. . .	Hubbs and Meggs	14, "	" "	1,000
Twenty-sixth street, regulating and setting curb and gutter stones, from Bloomingdale to Old road . . .	George A. Furst	13, "	Dec. 1, "	1,000
Twenty-fourth street, paving from 8th to 10th avenue . . .	Thomas Cummings	Nov. 15, 1836	June 15, "	1,000
Third avenue, setting curb and gutter stones, from 81st to 86th street . . .	Isaac Caryl, jr.	Nov. 21, "	July 1, "	1,000
"Burnt District," paving certain streets . . .	Peter Smith	March 21, 1837	15, "	10,000
Fourteenth street, regulating and paving, from 7th avenue to Bloomingdale road . . .	Samuel Boyd	May 25, 1836	Sept. 1, 1836	1,000

Description of Contract.	Name of Contractor.	Date of Contract.	Time for Completion.	Penalty.
Ninth street, filling, from Tompkins square to avenue C	Patrick McBarron	April 20, 1835	Nov. 1, 1835	\$ 500
Twenty-fifth street, well near 2d avenue	Daniel Gallagher	July 7, 1837	Aug. 1, 1837	100
Bethune street well, between Greenwich and Washington streets	Dominick Haron	June 27, 1837	July 15, 1837	100
Thirteenth street, well between 5th and 6th avenues	Dominick Haron	" "	" "	100
Thirty-seventh street, well near the 10th avenue	James McSourley	15, "	Sept. 1, "	100
Twenty-second street, well near 10th avenue	Peter Masterton	9, "	July 1, "	100
William street, well near Pearl street .	Peter Masterton	" "	" "	100
Pier at the foot of Beach street, addition to	William Hockman	July 14, "	Sept. 1, "	1,000

DOCUMENT NO. 18.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Committee on Laws, on the communication of his Honor the Mayor, enclosing the letter of the Mayor of Boston. Laid on the table.

THOMAS BOLTON, Clerk.

MAYOR'S OFFICE,

(New York, June 26, 1837.

Gentlemen of the Common Council:

I have the honor herewith to transmit to you a communication received by me from the Mayor of Boston.

AARON CLARK.

The Committee on Laws, to whom was referred the communication of his Honor the Mayor, and the accompanying letter of the Mayor of the City of Boston,

REPORT:

That the evils arising from the influx of paupers among us have no where, probably, been more severely felt than in this city—evils which we are bound to remedy, if possible, and save the citizens from a very heavy yearly amount of taxation. That your Committee believe that Congress alone can efficiently act in preventing foreign paupers from being sent, sometimes by parishes, and sometimes by foreign governments, to feed on bread which no labour of theirs ever contributed to produce. Your Committee are rejoiced to see this important subject attracting attention in all our large cities on the seaboard; and they deem it highly expedient that the Common Council should co-operate with the municipal authorities of Boston and other cities, in seeking relief from a common evil. Your Committee therefore offer the following resolution:

Resolved, That this Common Council do assent to the proposition of the authorities of the City of Boston, and will petition Congress in regard to the subject matter of said communication; and hereby authorize his Honor the Mayor and the Clerk of the Common Council, to co-operate in the authentication of any petition necessary in the premises, and that said petition be first submitted to the Common Council for their approval.

M. C. PATERSON,
D. RANDELL.

Boston, June 23, 1837.

SIR,—I have been instructed by the City Council to address you on the subject of the introduction of foreign paupers into this country, and to request your co-operation in presenting a memorial to Congress at its approaching session, praying for its interference to prevent the great evils arising from the influx of paupers among us. Similar co-operation will be asked of the city governments of Philadelphia and Baltimore, and it is hoped that the united application of the principal cities that are burdened with this heavy tax, may produce some effect on that body which has the power to relieve us by legislation. Should you think favorably of the proposal, will you be good enough to inform me, and a memorial shall be forwarded for your signature.

Respectfully,

Your obedient servant,

SAMUEL A. ELIOT,

Mayor of Boston.

To the Mayor of New York.

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DOCUMENT NO. 19.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Street Committee against paving 21st street, from the 8th avenue to the Bloomingdale road. Laid on the table.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petition and remonstrance, relative to regulating and paving 21st street, from the 4th to the 8th avenue, and laying the sidewalks, respectfully

R E P O R T :

That said street, between Bloomingdale road and the 3d avenue, is paved and the sidewalks laid.

The petitioners state that many of the residents of the south-westerly part of the 16th ward have occasion to go to the northern part of the island by the rail road, and that they have experienced difficulty in getting there through the mud,

and that they therefore desire the street to be paved and the sidewalks laid. The remonstrants state that it will be of little service to them, the owners of property, to have the street paved at this time, as they cannot build on their lots to advantage, until the sewer is built in the street to drain their cellars. A sewer has been ordered to be built in the said street, the contract for which is about being made. The Committee therefore are of opinion that it is expedient to defer the paving of the street, until after the sewer is built, as the pavement would otherwise have to be disturbed for the purpose. The Committee consider it inexpedient at this time to pave the said street, and ask leave to be discharged from the further consideration of the subject.

C. DE FOREST,
JACOB ACKER,
NEHEMIAH WATERBURY.





DOCUMENT NO. 20.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Street Committee, on the subject of the regulation of Centre street, from Grand street to Chatham street, at the Hall of Record, and the streets intersected and affected by it. Laid on the table and ordered to be printed, for the use of the members.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed papers from the Board of Assistant Aldermen, in relation to

the regulation of Centre street, from Chatham street to Grand street, respectfully

REPORT:

That they have considered this subject, and that they concur with the Committee of the Board of Assistant Aldermen, in their report on this subject, as to the propriety and expediency of adopting the new regulation proposed by the Street Commissioner. The Committee have held a meeting on this subject, which was attended by the remonstrants, who expressed themselves in favor of the regulation proposed, providing the same shall be submitted to Commissioners to estimate and assess the damages and benefits that may be done to the parties, respectively, by its establishment. The Committee of the Board of Assistant Aldermen have not taken this course. The view taken by them is, that the benefits that will accrue from the alteration will, in all cases exceed the damages, and that no assessment is necessary. The Committee express no opinion on this point. They believe, however, that no evil can result from the appointment of Commissioners to consider the new regulation; and that as this course will give satisfaction to the parties concerned, and they are willing to incur the expense, that it is expedient to adopt it. The Committee therefore recommend an amendment to the resolutions of the Board of Assistant Aldermen, by introducing a resolution after the third resolution, referring the subject to Commissioners, which resolution is as follows, viz:

Resolved, That the regulations proposed to be adopted by the preceding resolutions, be referred to Commissioners of Estimate and Assessment, to estimate and assess the damages and benefits that may accrue, in consequence of the change of regulation from the one established by the Common Council, April 23, 1835, to the one now proposed, from Walker to

Pearl street ; and to ascertain and assess the damage and benefit to property accruing from the new regulation proposed, from Pearl street to Chatham street, and from Walker street to Grand street, and that the Counsel take the proper measures to carry this resolution into effect.

C. DE FOREST,
JACOB ACKER,
NEHEMIAH WATERBURY.

1870

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DOCUMENT NO. 21.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Street Committee, against laying certain sidewalks in the 9th ward. Ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed resolution to lay the sidewalks of 13th street, from the 6th avenue to the Hudson River; also to lay the sidewalks of Greenwich street, between Hammond street and the 9th avenue; also to lay the sidewalks of Horatio street, between the 8th avenue and West street, respectfully

REPORT:

That they have examined the streets referred to in the re-

solution; that the sidewalks generally are well gravelled; and that as there are but few dwellings on them, and objections have been made to the propositions; they deem it inexpedient to recommend the adoption of the resolution and ask to be discharged.

CHARLES DE FOREST,
JACOB ACKER,
NEHEMIAH WATERBURY.

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DOCUMENT NO. 22.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Counsel of the Corporation, on the petition of inhabitants of the 14th ward, relative to the enlargement of Centre Market. Laid on the table and ordered to be printed.

THOMAS BOLTON, Clerk.

TO THE HONORABLE THE BOARD OF ALDERMEN:

The subscriber, to whom was referred the petition of Adrastus Doolittle and other citizens, residing in the upper part of the city, relative to the proceedings for the enlargement of Centre Market, and the time when said proceedings will be completed, respectfully

REPORTS:

That the proceedings referred to in said petition were instituted and are carried on under the direction of Mr. Emmet, late

Counsel for the Corporation, to whom the subscriber communicated the contents of said petition, and the resolution of the Board of Aldermen, and received from him a statement of the present state of the proceedings, the causes and reasons for the supposed delay complained of by the petitioners, and the time when said proceedings will probably be finished, which statement is herewith transmitted.

GEORGE F. TALMAN.

July 8th, 1837.

DEAR SIR,

The improvement of the Centre Market, according to the plan last adopted by the Common Council, embraces the taking of certain private property, under an act of the Legislature specially passed for the purpose, in May, 1836; also, the opening a new street; the closing part of Orange street, and the widening of Centre street, between Grand and Broome streets. In February last, Commissioners were appointed by the Supreme Court, to perform the duties prescribed by the act above mentioned, viz.: to estimate the damages to be paid to the owners and parties interested in the lands required to be taken for the site of the new Market. In May last, the same Commissioners were appointed to perform the duties of Commissioners of Estimate and Assessment, on the opening, closing, and widening of the above mentioned streets. In this matter, which is governed by the general laws of the State, relative to street improvements in this city, the Commissioners have to make one report; in the matter of estimating the damages to be paid for the land required for the site of the Market, which is governed by the special act of 1836, above mentioned, they must make another and a separate report. It would

not advance the improvement of the Market one hour, if the Commissioners should make one report before the other, as both reports must be confirmed by the Court, before any control can be exercised over the matter by the Common Council.

I have enquired as to the proceedings of the Commissioners since their appointment, and have been assured by them, that they have proceeded with more than ordinary diligence. It is but a short time since the necessary maps have been completed and delivered to them, and since then they have met every day. It is impossible to say, with certainty, when their reports can be presented to the Court; but the probability is, that they will be completed in September next. It is by no means a simple or easy assessment, as may be supposed by many who are unacquainted with the nature of the duties thrown upon the Commissioners; on the contrary, it is a very complex and intricate matter, and must require a great deal of labor, reflection, and calculation to obtain a correct result.

I am not aware that any money has ever been raised, or in the hands of the Corporation, to pay for this improvement; on the contrary, I am pretty certain such is not the fact. The Comptroller, however, can tell how this matter stands.

Respectfully yours, &c.,

R.^d EMMET.

G. F. Talman, Esq.

1847

Received of the Hon. the Secretary of the Navy
the sum of \$1000.00 for the purchase of
the ship "Albatross" for the service of the
Navy.

Witness my hand and seal this 1st day of
January 1847.

John C. Calhoun
Secretary of the Navy

DOCUMENT NO. 23.

BOARD OF ALDERMEN,

JULY 17, 1837.

Report of the Street Committee, against several propositions to pave streets in the 9th ward. Ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

Resolved, That Horatio street, between 8th avenue and Greenwich street; that Washington street, between Jane and Gansevoort streets; that Gansevoort street, between Greenwich street and Hudson River, be regulated and paved.

The Street Committee, to whom was referred the annexed resolution, to regulate and pave Horatio street, between the 8th avenue and Greenwich street; also, Washington street,

between Jane and Gansevoort streets; also, Gansevoort street, between Greenwich street and the Hudson River, respectfully

R E P O R T :

That they have considered the several propositions contained in the resolution; that the streets to which they refer are not built upon, and do not, in the opinion of the Committee, require the improvements proposed. The Committee therefore decline to recommend the adoption of the resolution, and ask to be discharged.

C. DE FOREST,
JACOB ACKER,
MEHEMIAH WATERBURY.





DOCUMENT NO. 24.

BOARD OF ALDERMEN,

JULY 31, 1837.

Report of the Committee on Wharves, Piers and Slips, in favor of establishing steamboat basins, between Pike and Rutgers slips. Laid on the table and ordered to be printed.

THOMAS BOLTON, Clerk.

The Committee on Wharves, Piers and Slips, to whom was referred the annexed petition of the owners and residents of property in the neighborhood of Pike and Rutgers slips, and others interested in steamboat navigation, for the establishment of piers and basins, for steamboats navigating the East River, respectfully

R E P O R T :

That they have given to this subject an attentive consideration, and that they are firmly of opinion that all our commer-

cial interests will be best promoted and the public be best secured by providing suitable piers and basins, sufficient for all the steamboats navigating the East River, and setting them apart for their exclusive use and accommodation. A proper arrangement of this kind will annihilate that contention for berths between the proprietors of ships and steamboats, which has engaged the attention of the Common Council for the last few years, and will obviate many inconveniencies experienced under the present system, to the satisfaction of all concerned. The present locations are too limited even for ships, and do not possess the proper accommodations for steamboats. The latter require piers of greater length and breadth, and the former have been known to lie fifteen and twenty days in the stream, waiting for berths, in which to discharge their cargoes. It is the prayer of the petitioners that the basin formed between Pike and Rutgers slips on the East River be appropriated for the East River steamboats.

The Committee have examined the water line in that section of the city, and are of opinion that the space alluded to is the most suitable for the purpose. There are piers on each side of the basin belonging to the Corporation; they are thirty feet in width, and are one hundred and seventy-six feet, and two hundred feet in length, respectively. The pier at Rutgers slip has an L projecting inwards forty-eight feet, which, as at present constituted, would be found objectionable for steamboats. The space between the piers is four hundred and eighty-eight feet, and belongs in part to the Corporation of the City, and in part to individuals.

The Committee recommend that the whole space be taken by the Corporation, to be used for the purposes contemplated; that a new pier be built in the middle thereof, fifty feet wide, and to extend two hundred and fifty feet into the river; and that the piers on each side be enlarged to similar dimensions. The piers and basins thus formed, in conjunction with Pike slip, which will be formed by the addition of the new pier already ordered, will give all the accommodation that can be

desired for steamboats navigating the East River; will meet with the approbation of the steamboat proprietors, and make available and profitable the water line of that section of the city, to the relief of the lower section, already too much crowded. The Committee offer the following resolutions :

Resolved, That it be referred to the Committees on Finance and on Wharves, to treat with the owners of the water front, between Pike and Rutgers slips, for the purchase of said front for public purposes.

Resolved, That after the purchase of the said water front be effected, the same shall be appropriated for the exclusive accommodation of steamboats navigating the East River, and that a pier be built in the middle thereof, to be fifty feet wide, and to extend two hundred and fifty feet into the river; and that the pier at Pike slip be enlarged to similar dimensions, and that the pier at Rutgers slip be enlarged to the width of fifty feet at the wharf, and to the width formed by the L at the outer end of the pier.

Resolved, That the Street Commissioner carry this resolution into effect.

C. DE FOREST,
JOSEPH HOXIE.

DOCUMENT NO. 25.

BOARD OF ALDERMEN,

JULY 31, 1837.

Report of the Street Committee on the resolution to change the mode of making payment on contracts of the Corporation. Laid on the table and ordered to be printed.

THOMAS BOLTON, Clerk.

Resolved, That it be referred to the Street Committee to inquire into and report upon the expediency of changing the mode of making contracts for work done at the public expense; also those made by the Common Council, but assessed on property and paid for by its owners.

The Committee on Streets, to whom was referred the annexed resolution, respectfully

R E P O R T :

That in all contracts made by the Corporation, for constructing sewers, grading and paving streets, and other works which are assessed upon the owners of property benefitted by them, it now, and has been the long established practice to make the money payable to the contractor, when the same was collected upon the assessment. When this practice was first adopted, and while these works were principally confined to the lower parts of the city, where property was producing a steady income, assessments were easily and promptly collected, and the contractors were not materially delayed in the receipt of their money, after the completion of their labors; but in the extension of these works, in more recent times, over the whole island, where much of the property to be charged is unimproved and unproductive, experience has shewn that great difficulties and delays do and will occur in the collection of the assessments, and consequently no reasonable certainty is afforded to the contractor of the time when he may rely upon the receipt of his compensation. He may receive it shortly after the sixty days allowed for the collection of the assessment, or he may be compelled to await the extreme and ultimate measure of collection by the sale of the property. Hence in all cases the contractor must rely entirely upon his own resources, and in cases of contracts amounting (as they frequently do) to many thousands, these resources must be large, indeed. Industry, skill, integrity, and the confidence of friends, will avail little, for money cannot easily be borrowed for an indefinite period. The consequence is, that rich men only are able to undertake these contracts, and it requires no process of reasoning to show that where works are numerous and for large amounts competition becomes very limited, and is sometimes entirely destroyed by combination. The inquiries of your

Committee have satisfied them that such, in a great degree, has been the operation of the present system of late years. The number of contractors for the larger works, has been very limited; a very few men seem to have had the whole of the work, and prices have been paid much beyond what would have been asked, and would have been a fair compensation, had any certain time of payment been fixed by the contract. To men of sufficient property to make the advances, this is not of any importance, because they receive the interest that has accrued on the assessment, when it is collected, while to men of smaller means it becomes an effectual exclusion from participating in such employment. Your Committee might enlarge upon the disadvantages consequent upon the present practice, but they believe enough has been said to justify a change, if a change is practicable. After much reflection, your Committee have concluded to recommend that hereafter all such contracts be made payable sixty days after the confirmation of the assessment, provided the work shall then be completed according to the contract. The advantages which may be expected from this change, your Committee believe to be, a great reduction in the expense of these necessary works, and a participation in the public employment by worthy and industrious men, who are by the present system excluded. A certain day of payment, and the undoubted security which the obligation of the Corporation affords, will always enable the skilful, honest, and industrious mechanic, to obtain those advances, without which these contracts cannot be performed; and the only inconvenience imposed upon the Corporation will be the advance of such part of the assessment as shall not, at that time have been collected, which will be repaid with interest by the subsequent collections. The advantages, in the judgment of your Committee, so obviously outweigh this single inconvenience that they do not hesitate to recommend the adoption of the following resolution:

Resolved, That in all contracts hereafter made by the Corporation, for works that are to be paid for by assessments upon property, the time of payment to the contractor shall be fixed, at sixty days after the confirmation of the assessment, provided the work shall then have been completed according to the contract.

C. DE FOREST,
JACOB ACKER,
NEHEMIAH WATERBURY.

DOCUMENT NO. 26.

BOARD OF ALDERMEN,

JULY 31, 1837.

Report of the Committee on Lamps and Gas, on the resolution requiring the Superintendent of Lamps and Gas to report, &c. Adopted.

THOMAS BOLTON, Clerk.

Resolved, That the Superintendent of Lamps, report to this Board, at its next meeting, the names of the Lamplighters that have been discharged or removed, since his appointment to office; the causes of such removal or discharge, and the authority by which they were removed; also, the names of those who have been appointed in their places, and the authority by which they were appointed.

The Committee on Lamps and Gas, to whom was referred the following resolution: "*Resolved*, That the Superintendent of Lamps and Gas, report to this Board, at its next meeting, the names of the Lamplighters that have been discharged or removed, since his appointment to office; the causes of such removal or discharge, and the authority by which they were removed; also, the names of those who have been appointed in their places, and the authority by which they were appointed," respectfully

R E P O R T :

That since the organization of the Board of Aldermen for the present year, the removal of certain Lamplighters, heretofore employed by the Common Council, has been announced, not only at the meetings of the Board, but in the public journals of the city. The manner and authority by which these removals have been made, as well as the power under which new appointments have taken place, still remain a matter of which the Board is perfectly ignorant. In every well regulated system of municipal government, the employment and discharge of the agents engaged in the service of the community, ought not to be permitted to remain as a matter of doubt, inasmuch as their connection with the interests of a large and populous city render it desirable that their authority to act should not be questioned. The resolution referred to the Committee, proposes to require of the Superintendent of Lamps, information which, above all others, he may be supposed to possess. Placed, as he has been by the Common Council, at the head of an important department, it may be well taken for granted, that, in every matter relating to that department, he is fully informed. He is in possession of all the books and records relating to the management of the lamps and gas, so far as the Lamplighters are concerned; he undoubtedly possesses

a list, not only of those employed by and under the direct appointment of the Common Council, but also of those who may have been selected by the Committees of both Boards, with the Superintendent of Lamps and Gas.

The Board ought certainly to be put in possession of a complete list of those who may have been discharged, as it may tend to assist their investigations into the transactions of the Department.

If removals have been made, (and on this point there rests but little doubt,) the causes of such removals, and the authority by which they were made, ought certainly to be known. Justice to a class of men who have faithfully performed their duties, demands, that if any complaints may have been made against them, that it ought to be known. If neglect of duty; if improper conduct of any kind, inconsistent with the proper fulfilment of the stations they occupied; if danger to the public interests, by a continuance of them in the public service, may have been charged against them, the question of their removal might, with great propriety, be submitted to the Common Council. Nothing of this nature has been set forth. No charge, of the character here referred to, has ever been made. As a body, no class of men in the employment of the Common Council, has been more worthy of the places to which they were appointed. They have not been accused of any want of attention to their duties; many of them have been employed for years by the Corporation, and with fidelity have performed the services required of them; they now find themselves thrown out of employment. They have been discharged, they know not by what authority, and they are deprived of the means of earning a subsistence for themselves and families. That any man should be removed from a station of this nature, in a secret manner, and without any cause being assigned; from a place wherein he has discharged his duties honestly, is an outrage which no representatives of freemen ought to tolerate. Each member of the Common Council is responsible to

his constituents for every public act he may perform ; he can be questioned as to his course on every appointment and removal. Yet if the Superintendent of Lamps and Gas be not required to report on this matter ; to answer if he has removed any man, and for what reason ; he enjoys a power of a most dangerous and oppressive character, and over which the Common Council will not exercise any control.

The authority by which the removals may have been made, is a question of vital importance. By an ordinance passed during the last year, the power was granted to the Superintendent of Lamps and Gas, together with the Committees of Lamps and Gas of both Boards, to select and employ so many persons as might be necessary, for the purpose of lighting and cleaning the public lamps. There was no power given to *remove* any individual. The position may be assumed that the power of removal and appointment go together. If the whole power of the Corporation was transferred to a Committee, that question might be made ; but no such object was intended ; the object of the framers of that act was, to give to the Committees on Lamps and Gas, the power to fill vacancies which might occur in the department, and which were of that nature that they could not remain open for the action of the Common Council. Previous to the adoption of the ordinance, all appointments were made in joint ballot. It may well be questioned whether or not the Common Council could, by any act, give authority to any Committee to appoint, much less to remove men already appointed under a joint ballot. Many members of the Board might have been willing to grant to a Committee power to fill vacancies, and yet never would have sanctioned a proposition which would have given that Committee power to make an indiscriminate removal of incumbents. The latter power was open to great abuses ; it might be exercised in a manner to oppress and injure faithful public agents. The Committee believe there was no authority to remove, granted to any branch of the Common Council ; and

that the Corporation is liable to pay for the services of those who have been so improperly discharged. Many of the Lamplighters were appointed by a joint ballot; were sworn in as officers of the Common Council; were selected in the same manner as the Comptroller of the City, the Street Commissioner, and every other prominent officer of the city; and under every principle of law and legislation, they were entitled to hold their offices until removed by an authority similar to that by which they were appointed. A prosecution has already been commenced against the Corporation, for the wages due one of those removed; from such proceedings the Common Council ought certainly to be preserved.

The attempt to deprive a poor industrious citizen of his just demands, must, as it ought to, arouse the feelings of his fellow citizens against the municipal government. Of the character and qualifications of those recently appointed, the Common Council remain ignorant. Thousands of dollars, the money of the public, may be expended on the most unworthy; citizens of unexceptionable character and undoubted industry, may have been, without cause and without authority, removed to make room for those against whom powerful objections might be raised. Publicity in appointments ought always to be maintained; it tends to keep the attention of the community to the selection of proper persons for public office; as the matter now stands, the qualifications and character of the incumbents rests entirely with the unknown appointing power. To the Superintendent the Committee believe they ought to refer, for the names of those who are receiving, through him, the public monies, for the discharge of certain duties. Since the Common Council has been organized under the new Charter, all appointments of Lamplighters, up to the period of passing the ordinance of last year, was made by both Boards, in joint meeting. If reference be made to the minutes of the Common Council, it will be found that whenever removals were made, a resolution was adopted, naming the persons re-

moved; and another resolution, naming those appointed, also adopted; in the present case no such action has taken place.

Whether the Corporation had the power to pass the act, transferring the appointing power to a Committee, is a question of great doubt; but certainly, if the appointments and removals have been made by the Committees of both Boards, with the Superintendent, it is due to the Common Council that these proceedings should be made known. By the rules, the Committees are called together by order of their respective Chairmen; the removals, if they have been made by the Committees, were made at a meeting not called in the regular manner.

If the appointments have been made, it ought certainly to be stated what members of the Committee of each Board were present at the time of making the appointments, and the vote of each member; whether a majority of each Committee of each Board voted for those removals and appointments; and whether the Committees acted as a Joint Committee, or in their separate characters. These points ought to be made manifest, so that the Common Council may learn whether, if even power has been given to the Committees, that it has been properly and legally exercised.

In conclusion, your Committee are of opinion, that, at the present time, an opportunity is offered of proving to the citizens of New York, that the Board of Aldermen are anxious to correct any abuses which may exist; to obtain information on every subject connected with the appointment of their public agents; that they are anxious, not only of keeping within the limits prescribed by the Charter of the City, but also to restrain their officers from the exercise of any oppression. If the present inquiry be denied, the consequence will be, that an example will be sanctioned, which hereafter will lead to the grossest abuses. Men, employed by the Corporation, will be sacrificed at the caprice of irresponsible persons; the representatives of the people will witness the persecution and pro-

scription of the poor man for opinion sake ; and lawless power will, in every department, commit violations on the rights of individuals ; questions of indebtedness of the Corporation to their agents will be continually arising ; and, instead of order and regularity, which ought to distinguish the management of public affairs, confusion will exist in every branch. Your Committee therefore respectfully recommend that the resolution be adopted, in order that so far at least as the Superintendent may have information, it may be placed in possession of the Common Council.

JOHN V. GREENFIELD,
RICHARD J. SMITH.



DOCUMENT NO. 27.

BOARD OF ALDERMEN,

JULY 31, 1837.

Report of the Committee on Police, Watch and Prisons, on the petitions of Timothy Ahern, to be released from prison for selling liquor without license.

THOMAS BOLTON, Clerk.

The Committee on Police, &c., to which was referred the two petitions of Timothy Ahern, (respectively presented by the Aldermen of the second and sixth wards,) to be discharged from prison, where he now lies, on a judgment for selling liquor without license,

REPORT:

That the petitioner, according to the facts elicited by the Committee, sold liquor as aforesaid, after having been warned by the Street Inspector of the first ward, of the impropriety

of his conduct in that behalf; that he continued, however, so to do; was prosecuted, and is now paying the penalty in the debtor's prison.

Your Committee are of opinion that it is from a firm, as well as a merciful dispensation of justice, that the law derives its best support, while it secures prompt and unhesitating obedience; that the facility of obtaining from the Common Council, the remission of penalties for selling ardent spirits without license, has tended to render many of our citizens regardless of the regulations of the ordinances on this subject, by calculations founded on the immunity to be derived from a favorable report on a petition, after a penalty has been recovered against them at law. Your Committee deem it proper, as far as in them lies, to prevent, for the future, any such hopes being entertained, where there has been a clear and palpable violation of the statutes and ordinances in relation to the sale of ardent spirits; and conceiving that the case of Timothy Ahern comes within this principle, they pray leave to offer the following resolution:

Resolved, That the Committee on Police, &c., be discharged from the further consideration of the petitions of Timothy Ahern.

M. C. PATERSON,
C. DE FORREST.

DOCUMENT NO. 28.

BOARD OF ALDERMEN,

AUGUST 2, 1837.

Report of the Street Committee, in relation to the widening and improving of Stone street, between William and Whitehall streets. Adopted.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petitions of James K. Paulding and others, to postpone further proceedings in relation to widening Stone street, between Whitehall and Broad streets ; and also the petition of John W. Taylor and others, against straightening Stone street, on the northerly side, at the north-westerly corner of William street, respectfully

REPORT :

That the first named petitioners represent that the widening of Stone street, between Whitehall and Broad streets, was ordered by the Common Council, on the petition of a majority

of the owners on that portion of the street, who were in favor of the same, with a view to improving their lots by the erection of stores for the accommodation of merchants; but that since the said improvement has been ordered and the assessment of Commissioners progressed in, a sudden reverse has taken place in their prospects, growing out of the present stagnation of business; and that stores contemplated to be erected when the improvement was projected, are now no longer in demand; that there are already built many stores in that section of the city which are untenanted; and that the improvements, if now carried into effect, could not be made available, would put them to great expense, and destroy the present usefulness of their property. The Committee concur in the views of the petitioners. They are satisfied that the commercial wants of that section of the city do not require the improvement at present, and that the same would prove a useless sacrifice of property. The Committee gave notice to the petitioners that they would report favorable to their petition, provided they would give a guarantee to pay the expenses of the assessment, This they assented to. But, upon examination of the assessment, it was found, that, although this portion of Stone street was ordered to be widened, without reference to the other portions, which had been ordered previous; yet, that the same Commissioners having been appointed in each case, they were connected in one assessment; so that to suspend the portion between Whitehall and Broad streets, it must necessarily set aside the assessment for the other portions. The Committee have obtained from the Counsel the whole expense of the proceedings, which amounts to \$1,959 30, which sum two of the petitioners, persons of responsibility, have given an obligation, in behalf of themselves and others, to pay, in four months from the date thereof, which obligation is hereunto annexed. The Committee recommend that the request of the petitioners be complied with, and that the Counsel be instructed to apply to the Supreme Court to set aside the proceedings about to be reported, and to order other pro-

ceedings, in conformity to the resolutions subjoined to this report.

In reference to the other petitioners, the Committee report, that John W. Taylor, the petitioner named, is the owner of two lots, situate at the corner of William and Stone streets, fronting on William street; that the line proposed for straightening Stone street at William street, will take a triangle from his corner lot, now occupied by a three story store, of four feet two inches on William street, and terminating in a point twenty-nine feet on Stone street; that the petitioner represents, that while the subject was under consideration he remonstrated against the line alluded to, it only affecting his own lot, a considerable portion of the front of which it would nearly sweep away; that he delayed building some weeks, to ascertain the result; and that from the best information he could obtain, he believed that his lot would not be interfered with, and built up his stores accordingly; that the Common Council, soon after, acted upon the subject, and adopted the line as above stated. His petition is, that the line be changed to conform to his building, and is supported by a large number of owners of property on the street and in the vicinity.

The Committee have learned that a similar petition was presented to the Common Council the preceding year, and that a report was made thereon in the Board of Aldermen, by the then Street Committee, in favor of granting his request; but that opposition having been made, it was referred back to the Committee, who reconsidered it and subsequently reported adverse to the petition; stating, that from evidence that had since been produced to them, they were of opinion that it was inexpedient to grant his petition. The Committee believe that the cutting down of a part of the said store, and destroying a valuable lot, will be very expensive, and will not be attended with corresponding benefits. They therefore recommend, as it is proposed to set aside the proceedings, that the straightening, so far as relates to that building, be dispensed with. They offer the following resolutions:

Resolved, That the Counsel be directed to apply to the Supreme Court to set aside, on their presentation to the Court, the proceedings in relation to the widening and improving of Stone street, between Whitehall and William streets.

Resolved, That the second resolution of a series, passed by the Common Council and approved by the Mayor, April 27, 1836, for widening Stone street, be, and the same is hereby repealed.

Resolved, That the resolution passed by the Common Council and approved by the Mayor, May the 10th, 1836, to widen Stone street, on the northerly side, between Whitehall and Broad streets, be, and the same is hereby repealed.

Resolved, That all other resolutions passed in relation to the widening and improving of Stone street, be, and the same are continued in force; and that the Counsel take the necessary measures to carry them into effect, agreeably to the accompanying maps.

C. DE FOREST,
JACOB ACKER.

DOCUMENT NO. 29.

BOARD OF ALDERMEN,

AUGUST 2, 1837.

Report of the Street Committee, on sundry petitions and remonstrances to suspend the opening of Anthony street for one year. Adopted.

THOMAS BOLTON, Clerk.

The Street Committee of the Board of Aldermen, to whom was referred the memorial of sundry inhabitants of the ward, and other remonstrances against further proceedings in relation to the widening and extension of Anthony street, respectfully

R E P O R T :

That they have carefully examined this subject, and have patiently attended to the representations of the applicants; first, with the view of ascertaining the opinions of the owners along

the line of the improvement ; and, secondly, to ascertain the opinions of persons not upon the line of Anthony street, but who would probably be assessed for benefit, if the improvement proceeds ; and the result of that investigation, and which your Committee believes to be correct, is as follows :

The proposed improvement is on the south side of Anthony, from Hudson to Orange street ; and the extension thereof, from Orange to Chatham street.

Between Hudson and Chapel streets, every owner but one, on the south side, is opposed to the measure, and the opinion of that one is unknown. On the opposite side, out of fourteen lots, seven are in favor, six opposed and one unknown. Between Chapel and Church streets, all on the south side are opposed, except the owner of two lots ; and on the north side, out of fifteen lots, seven are hostile to the proposed improvement, three are in favor, two are indifferent, and the sentiments of three are unknown. The principal part of the south line, between Church street and Broadway, is owned by the New York City Hospital, the Governors of which have presented a petition against the measure ; and their President, Mr. Newbold, has attended your Committee on the subject. The other owners on the south side, between Church street and Broadway, are opposed. On the opposite side, the owners of six lots are in favor ; the lots, corner of Broadway and corner of Church street, are opposed ; and the balance, including the Trustees of Christ's Church, are understood to be neutral ; the account of this portion, in fact, stands 150 feet in favor, 202 opposed, and 118 neutral.

On the east side of Broadway, from Broadway to Elm street, the parties appear about equally divided ; from Elm to Cross street, all are opposed, excepting the owners of four lots ; and on the remainder of the line, the owners are all opposed, excepting the owner of two lots. Your Committee have arrived at these facts from an examination of Doc. No. 106, in connection with maps in the Street Commissioner's office.

Your Committee presume that the assessment would extend

along the line of Chapel street, and many of the owners on Anthony street have recently been subjected to heavy assessments for the widening of Chapel street; and they deem it particularly hard, that assessments should follow so soon upon the one yet unpaid; and, particularly when the improvement, as they allege, is not of adequate advantage to them.

The same remarks will apply to the owners on the east side of Broadway, many of whom are now smarting under the assessments for the opening and extension of Centre street, and for the widening of Chatham street; many of whom have petitioned the Common Council for extension of time, on the plea of inability to pay.

Your Committee are fully impressed with the importance of the improvement; and they fully agree with the Board of Assistant Aldermen, lately expressed by a vote not to entertain the proposition to rescind the ordinance; but in view of the facts herein set forth, and, as they believe, in accordance with the opinions of many of those set down as opposed to the opening and extension of Anthony street, they offer the following resolution:

Resolved, That the Counsel of the Board be directed to take the necessary legal measures to suspend all proceedings in relation to the opening and extending of Anthony street, for one year.

C. DE FOREST,
JACOB ACKER,
NEHEMIAH WATERBURY.



DOCUMENT NO. 30.

BOARD OF ALDERMEN,

JUNE 12, 1837.

Report of the Committee on Laws, on the communication of the Corporation Attorney, touching an amendment of the law relating to the City Inspector's Department. Laid on the table.

THOMAS BOLTON, Clerk.

The Committee on Laws to whom was referred the Communication of the Corporation Attorney, and the draft of an ordinance in relation to the City Inspector's Department,

R E P O R T :

That there appears to be a necessity for the proposed extension of the law to the abatement of nuisances and charging

the expenses thereof on the lot, when the owners are absent or unknown; that the power of the Common Council is ample for that purpose, while the exercise of it may be safely committed to the City Inspector, under the approval of the Alderman and Assistant Alderman of each ward.

They therefore recommend the passage of the ordinance hereto annexed.

M. C. PATERSON,
D. RANDELL.

A LAW

In addition to the law entitled, "A Law creating the City Inspector's Department, and prescribing the duties of the Officers thereof."

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows :

Whenever the owner or lessee of any lot or premises in the city of New York, upon which any nuisance shall exist, shall reside out of the City of New York, or be unknown, or cannot be found, it shall be the duty of the City Inspector, and he is hereby authorized and empowered, with the assent of the Alderman and Assistant Alderman of the ward in which such nuisance exists, to correct and abate the said nuisance as he may deem proper ; and the costs and expenses of such correction and abatement, together with all penalties and forfeitures imposed by the laws of the City of New York in relation thereto, shall be charged upon the said lot or premises, and be deemed a lien thereon ; and the said lot or premises may be sold therefor, according to the provisions of an act entitled, "An Act for the more effectual collection of taxes and assessments in the City of New York," passed April 12, 1816, or any act amendatory thereof, in the same manner as if the amount of said costs and expenses, penalties and forfeitures had been charged on the said lot or premises by virtue of an assessment.

DOCUMENT NO. 31.

BOARD OF ALDERMEN,

SEPTEMBER 6, 1837.

*Report of the Committee on Laws on the Ordinance for the
appointment of additional Collectors of Arrears of Taxes.
Laid on the table and directed to be printed.*

THOMAS BOLTON, Clerk.

The Committee on Laws, &c., to whom was referred an ordinance, passed by the Board of Assistant Aldermen, for the appointment of two additional Collectors of Arrears of Taxes,

R E P O R T :

That the arrears of taxes of the present year exceed, very considerably, that of last year, and will, therefore, require additional labor in their collection.

Your Committee, therefore, think it expedient to concur

with the Board of Assistant Aldermen in the passage of the ordinance, which, however, they propose to amend : they offer the following resolution :

Resolved, That the said ordinance be amended, by adding thereto, "and the said three Collectors shall receive and divide equally among them the compensation now allowed by law."

M. C. PATERSON,
DAVID RANDELL.

A LAW

To amend the law entitled "A law creating a Department of Finance, and prescribing the duties of the officers thereof, and the laws amending the same."

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. There shall be appointed by the Common Council two additional Collectors of Arrears of Taxes, who shall, severally, give the like bond as is now by law required of the Collector of Arrears of Taxes; and shall perform the same duties, and be subject to the same provisions as is now, by law, required of and provided concerning the Collector of Arrears of Taxes, and shall severally receive the like compensation.

§ 2. So much of the provisions of the said laws hereby amended as are inconsistent herewith, are hereby repealed; and the said three Collectors shall receive and divide equally among them the compensation allowed by law.

THE [illegible] OF [illegible]

BY [illegible]

[illegible text block]

[illegible text block]

REPORT
OF THE
COMMISSIONERS

OF THE
Alms House, Bridewell and Penitentiary.

Document No. 32.

NEW-YORK,

PRINTED BY ORDER OF THE BOARD OF ALDERMEN.

1837.

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DOCUMENT NO. 32.

BOARD OF ALDERMEN,

SEPTEMBER 11, 1837.

The Commissioners of the Alms House presented the following report, which was laid on the table and ordered to be printed.

THOMAS BOLTON, Clerk..

To the Honorable the Common Council:

The Commissioners of the Alms House, Bridewell and Penitentiary, have the honor herewith to submit their report.

By order of the Board.

P. W. ENGS, *Chairman.*

New York, September 11, 1837.

"Resolved, That the Commissioners of the Alms House be requested to communicate to the Common Council, the situa-

tion of the Alms House, Penitentiary and City Prison, at the time they entered into office; and whether any further regulations for its government are requisite."

Adopted by the Board of Assistant Aldermen, May 15, 1837.

Adopted by the Board of Aldermen, May 22, 1837.

Approved by the Mayor, May 25, 1837.

(Signed,)

THOMAS BOLTON,

Clerk of the Common Council.

The Commissioners of the Alms House, Penitentiary and Bridewell, responding to the resolution of the Honorable the Common Council, above annexed, respectfully

REPORT:

That the day following that on which they took the oath of office, they commenced, and successively continued, the examination of the public establishments under their supervision, until completed.

Before entering upon the first object of the resolution, the Commissioners deem it proper to premise, that they should, with great reluctance, place before the public many of the facts contained in the following report, was it not an imperative duty on their part, to reply to the expressed inquiries of the City Government into the condition of the departments committed to them; but, while they do not shrink from this duty, they will endeavour to perform it in such manner as their station demands; avoiding, as far as consistent, the expression of *opinions*, based upon the facts related, whenever they would bear upon individuals; and entering upon the involuntary task of "reviewing the acts of their predecessors," with that feeling of respect

due to fellow citizens selected for a high trust, and gratuitously engaged in a public duty ; which, experience has taught us, subjects its incumbents to severe animadversions, and affords no other reward than that which results from the consciousness of acting from upright motives, and being the almoners of immense bounty to the poor and miserable.

In order to correct or confirm their personal observation, written statements have been called for and received from the superintending officers of every branch of the establishments in our charge, which are hereunto annexed as appendix.

The Alms House proper.

The former Superintendent, in the most courteous manner, exhibited to your Commissioners the whole of this Department.

That portion of the house allotted to females, and under the special care of the excellent matron, (Mrs. Johnson,) was found in that good order and cleanly condition, which have long characterized her labors in the same station ; and exhibited a silent rebuke to the contrast in other parts of the house ; especially when it is stated, that the clothing and bedding furnished to her, was so deficient as to render it extremely difficult to afford the requisite changes for those in health, and to provide for the sick and infirm, in a manner demanded by the ties of humanity.

The sick were found in *every* part of the house.

The adult male department, comprising the Steward's charge of inmates, and their portion of the tenement, was in a filthy and ragged condition ; exhibiting throughout, evidence of neglect of public interest, and want of a proper regard to the subjects of misfortune. Complaints of poor and scant provisions, and of unavailing applications for relief in these particulars, were numerous and *voluntary*. Many were without shirts ;

their other clothing in miserable condition; destitute of sheets and blankets, and the bedding they had in use not clean.

In the Building assigned to colored subjects, was an exhibition of squalid misery and its concomitants, never witnessed by your Commissioners in any public receptacle, for even the most abandoned dregs of human society. Here, where the healing art had objects for its highest commiseration, was a scene of neglect, and filth, and putrefaction, and vermin. Of system or subordination, there was none. The same apparel and the same bedding, had been alternately used by the sick, the dying, the convalescent, and those in health, for a long period, as we were informed by inmates. The situation of one room was such, that it would have created contagion as the warm season came on; the air seeming to carry poison with every breath. It was a scene, the recollections of which are too sickening to describe.

Recurring to the "Middle House," the eating hall of the males, should be noticed as far from decent cleanliness in its general appearance. It was unprovided with the requisite dishes and spoons, and the occupants were found using their fingers, instead of the latter, to take up their food.

The provisions remaining on hand consisted of about fifty gallons of molasses, half a barrel of pork, a small quantity of rice, one barrel of brown sugar, and half a barrel of white sugar, and three cords of wood. There was neither coal, meal, flour or potatoes on the premises. The blacksmith had not iron for immediate necessary purposes, the spinners and weavers were without sufficient stock, and the shoe shop had a very small supply; the carpenters were without materials to work, the tinman the same, and the whole establishment suffering for utensils that should have been furnished from these appendages. There were no arrangements for cleansing and washing paupers when received, and the bathing house, at the dock, was used as a privy. Of tubs, pails, brushes and materials for clothing and bedding, there was, indeed, a "beggarly account." Perhaps, most that we have stated in regard to provisions

and materials, might have been fitly summed up in the language of the former Superintendent, when asked for an inventory, "It is useless to make one, for there is nothing to inventory." The Common Council will perceive that to repair and supply these deficiencies, was no ordinary task, and must require heavy expenditure at the outset of a new commission.

The Farm at Bellevue

was in a neglected and unprepared state, very few utensils, and those in a miserable condition; a scanty supply of hay, and that of very poor quality; no straw, oats or other grain feed for cattle; carts and waggons all out of order, and nearly all the harness worn out; the cows very thin in flesh; not a sufficiency of horses for the required labor, and the whole of this branch of the poor establishment in character with the Alms House as to management.

The Hospital.

The number of inmates was classed as follows:

Lunatic males	.	.	.	.	.	.	55	
" females	.	.	.	.	.	.	85	
							<hr/>	
						Total of Lunatics		140
Other patients, males	.	.	.	.	.	.	59	
females	.	.	.	.	.	.	66	125
							<hr/>	<hr/>
						Total in Hospital		265

Your Commissioners will not enter into a detail of *all* the disgusting particulars witnessed in this house, but they will carry out their purpose, not to shrink from the request for information; doing this, it becomes their duty to say, that the condition of the Bellevue Hospital was such as to excite feel.

ings of the most poignant sympathy for its neglected inmates. The apartments were neither properly cleaned nor ventilated; the clothes or bedding were wholly unsuitable to their circumstances; nor were those limited comforts provided, expected in every well regulated hospital. From the information of inmates and others, we learn that the sick rooms had not been whitewashed since 1835. The clothing of persons who had died was found in an uncleansed state; patients seriously ill were without the garments used next the skin, and females were seen in a high stage of fever with their nakedness only hidden by a dirty blanket. We will not lengthen out this tale of misery, by describing the suffering and neglect of particular cases, which would present a picture degrading to human nature. Discarding again all intention of casting odium upon individuals, we say that, as a whole, the Hospital was in a condition manifesting great neglect and indifference towards its miserable inmates, and calculated, from its filthy state and neglect of ventilation, to produce contagion, unless *immediately* cleansed and purified. The former resident Physician and his students, except two, (Messrs. Stamatioides and Casey,) and the Matron, had left the house, and, with them, the nurses, who are generally taken from the Penitentiary. Thus circumstanced, a requisition was forthwith made for female aid from that quarter, and was promptly furnished; the building was whitewashed, cleansed, and the agents of purification freely used. It has since been painted, and now exhibits what can be done by the activity, faithfulness and judgment of an intelligent and high-minded officer, even in a building not as fitly calculated as it should be for its intended purpose.

The prison fever had, sometime previous to this, broken out in the Bridewell among the "Court prisoners," and some cases had occurred in the Alms House; thus the list of this class of patients became alarmingly large, and under the then state of the house, excited apprehensions of contagion; and the public are indebted, (under Providence,) to the superior skill, and untiring exertions of the resident Physician, Doctor Benjamin

Ogden, for the arrest of its progress, notwithstanding the influx of cases of a similar disease from among foreign emigrants subsequently arriving, filled the Hospital to overflowing. Fortunately, at this juncture, Doctors Abraham Dubois and David L. Eichenbrodt, formerly students in the establishment under Doctor Ogden, gentlemen who had, in 1834, perilled their lives in the cure of cholera, came to our relief, and by *gratuitous* service, for which our city owes them a debt of gratitude, (more especially as Doctor Dubois has been himself a subject of the prevailing fever, and barely escaped death,) gave important and indispensable aid to the resident Physician, which was seconded, in a manner deserving the highest commendation, by the students, Messrs. Stamatioides, Casey and Thompson.

This department required to be re-furnished with beds, bedding and other articles, to an extent that added to the charge of materials for cleansing and purifying, will exhibit an outlay, in proof of its neglected condition, plain enough to be understood by all competent of judging.

To accommodate the great number of fever cases, and at the same time rid the main hospital of a disease, alarming to other patients, a small building of wood has been erected by your Commissioners on the west end of Blackwells Island, whither the small pox patients have been removed; and the building at Bellevue, formerly occupied by this class, having been properly cleansed, fumigated and ventilated, has been especially appropriated to fever subjects, of which it will accommodate about one hundred.

Under the present head may be classed the duties of Dr. Nicholas Morrell, who is located on Blackwells Island, and has charge of the hospital and small-pox house; and on Long Island, of the extensive nurseries of children located there. His skill and unwearied exertion in the duties of his profession, have received the approbation and praise of our predecessors; and most heartily do we add our testimony to theirs, expressing our ardent desire that services so meritorious and so onerous may not pass by unnoticed, when opportunities pre-

sent for advancement in the medical departments of our city.

From the Hospital proper, we pass to that portion of the same building occupied as a

Lunatic Asylum.

Common fame has made proverbial the wretched unfitness of the place thus designated; and since 1831 a series of attempts have been made to remedy the evil, and avert the disgrace attaching to our city, by its continued occupation; but it yet remains, a witness of the blind infatuation of prejudice and miscalculation; affording to a class more deserving commiseration than any other among the afflicted catalogue of humanity, a miserable refuge in their trials, undeserving the *name* of an "Asylum," in these enlightened days. These apartments, under the best superintendence, cannot be made to afford proper accommodations for the inmates, much less can they be so, when (as your Commissioners first saw them,) the same neglect and want of cleanliness witnessed in other parts of the building, was visible here; and a portion of the rooms seemed more like those receptacles of *crime*, "to whose foul mouth no healthsome air breathes in," than tenements prepared for the recipients of an awful visitation of Divine Providence, justly considered the worst "of all the ills that flesh is heir to."

This portion of the Bellevue establishment, is now in as good condition as it can be placed; and the assiduity and care of the resident officers will be directed to provide for the comfort of the lunatics, as far as its crowded state, and the want of separate dormitories for each patient, will allow; at present, we are under the necessity of placing *two* persons, who are often refractory, in *one* cell; an inconvenience and an evil so pregnant with disorder, as to need no further remark to convince the most sceptical that we *require* another and better arranged house for these unfortunates.

The sum of \$1,240 56, was received from the former Superintendent, as balance unexpended of \$10,000 drawn on account of the appropriation for the new Lunatic Asylum; by his statement, it appears, that \$2,807 20 of this appropriation, have been applied to expenditures for the *Penitentiary*. It will be proper to draw this amount from funds appropriated to the general disbursements of Alms House, &c.; place it to the debit of the expenses of the *past year*, and transfer the amount to the credit of the Lunatic Asylum.

The Bridewell.

The building in the Park, long known by this name, was in as good condition, when your Commissioners came into power, as could be expected from its total unfitness for the purpose for which it is used.

This branch of our care at *Bellevue* was found in a loathsome and filthy state, and the effects of this neglect developing itself in the shape of prison fever, to an alarming extent. The former Keeper lay dead in the house, of this disease, when we first visited it, and order seemed to be banished from the establishment. By prompt exertion, and the ready co-operation of the newly appointed Keeper, Mr. James Coggeshall, and his deputies, Crawford and Merritt, it has been placed in as good condition as its construction permits, being thoroughly cleansed and purified by chemical agents; and by this means divested of the terrors of sickness, produced from the impurity of an atmosphere generated by accumulated filth. Those of your honorable body who have visited this house, must be aware of its ill adaptation to the purposes of a receiving prison; here large numbers of *untried* prisoners are, of necessity, kept in one room, without proper ventilation or other accommodation; the guilty are concocting evil with their fellows, and those who are yet innocent, are inducted into the mysteries of crime, or forced to suffer the companionship of men of the most

disgusting character. Nearly *all classes* of prisoners are associated together; vice finds its desired aliment, and incipient crime, which, but for such associations, would have been checked in its onward march by moderate punishment, receives an impetus from the counsels of desperation, that urges to fouler deeds when released, and soon brings back its subjects to prison, as adepts in the advanced stages of vice.

When the new House of Detention shall be ready for inmates, and not till then, can these evils be remedied. It is respectfully suggested, therefore, that the Committee of your Honorable Body, charged with the supervision of that building, be authorized and instructed to use every facility for its completion.

A part of the City Prison, at Bellevue, occupied for the accommodation of females sentenced to the Penitentiary, and men brought from Blackwells Island, to work on roads and cleanse sewers, was found in a better state than the Bridewell portion; not, however, properly clean; and disorder, among these inmates, seemed to have had full license. About thirty female *state prisoners* occupied, as *pay* inmates, one section of the building allotted to the Penitentiary; and chaos reigned among them. The restoration of Mr. Howell, as a Deputy Keeper, enabled your Commissioners to produce order here, by the use of legal corrections; and we have now the gratification of adding, that these women have been removed to Sing Sing, by order of the Inspectors of that State Prison; thus affording more room for subjects of the Penitentiary and their safe keeping.

The foregoing comprises what is denominated the Bellevue establishment; the whole of which, your Commissioners believe to be *now* in as good order as locality and construction of buildings will permit.

The increase of paupers keeping pace with population, and receiving great additions from the want of present employment for the producing classes, together with the excessive emigration from Europe, renders it expedient to revive the con-

sideration of erecting another establishment for paupers, on a more extensive, convenient, useful, and economical plan, than the one now occupied; the deficiencies of which have been so often repeated, as to render it unnecessary again to speak of them. It is well, however, to state the fact, that, at this time, there is not room for new inmates, except as beds are vacated by decease or discharge; and, as according to experience, the usual increase, from mid-summer to mid-winter, has been about fifty per cent. The extra-contributing causes will now add to this per centage; and, with all the room which may be gained by the occupation of the buildings at present used for bridewell and penitentiary purposes, (when the House of Detention is completed,) it will be impossible to relieve, indoors, the wants of threatening pauperism, when the cold season arrives. This will necessarily lead to heavy expenditures for out door relief.

It is to be borne in mind, that by an arrangement between the Common Council and the Managers of the House of Refuge, the present Hospital Building, with the ground between that and the River, and extending 200 feet from its southern boundary, is conveyed to that institution, to be put in their possession as soon as another hospital is erected. In pursuance of this sale, "the Society for the Reformation of Juvenile Delinquents" have already commenced the erection of a building between Bellevue Hospital and the river; and they expect to have possession of the Hospital Building, at a period not far distant. It is not for your Commissioners to question the good policy of the Common Council, in the disposition of this property; but it is their duty to say, that it must have been made with a view to provide for the erection of another building, for hospital purposes, without delay. This is required, probably, in good faith to the grantees; and it will be gratifying to your Commissioners, if this obligation should accelerate the commencement of a new hospital.

It is a matter of course, that, simultaneously with the erection of a hospital, and in the immediate vicinity, must be be-

gun the construction of an almshouse also, if the wants of the city are to be provided for. The location and plan of this establishment are objects of vast importance; and, when submitted to your Commissioners, will be made the subject of extensive inquiry, and the result stated in a special report. It is deemed, however, not improper, explicitly to state as our opinion, that great advantage would be gained by locating such establishments on *an island*, separated from that on which our city is built; and they are confirmed in this opinion, by facts ascertained from towns that have adopted this course. The Corporation are possessed of a valuable property known as Randell's Island, on which the whole pauper establishment, exclusive of the Lunatic Asylum, might be erected, *as far as your Commissioners are acquainted with it*, to advantage; or, should they waive the objections to density of population made by some, and improper vicinity of a criminal prison made by others, Blackwells Island would accommodate all, except the children; whom, it is believed, your Honorable Body would not, for a moment, entertain the idea of placing on that location.

Buildings, suitable for the purposes under consideration, will require much time to perfect. In exterior appearance, they should not resemble "palaces for the poor," that invite, by their grandeur, the lazy dependent, who prefers "a shilling given to a shilling earned;" nor should this too numerous class be encouraged to become inmates, by an interior presentation of inviting accommodations; while they should be such as will be dictated by sound policy, guided by a just philanthropy.

All the efforts of man's wisdom have failed in *preventing* pauperism, and, we aver, ever will fail. The lip of truth has told us, "the poor ye have always with you"; and our city is peculiarly burthened with them, from causes not operating, in most respects, in sister cities. Our large population encourages travelling mendicants. Agents for emigration from other countries, select this as the landing place for most of the paupers sent out; and our statutes *force upon the city* a great

proportion of the state poor, compelling us to support those from other counties without reciprocity. Thus situated, it becomes our duty to make provision for the demands of law and humanity; affording the necessities, but not the luxuries of life, lest they prove "a premium to sloth and idleness."

When it shall be determined to erect proper buildings for pauper purposes, we trust that some portion of them will be devoted to the proper objects of a *work house*; where a class may be placed for whom there is now no *proper* provision in our city, and for want of which they are mingled with the more deserving and infirm, and receive support in a manner to which they have no claim; while, on the other hand, vagrants from intemperance or idleness, for want of such a place, are classed with, and committed among felons. In our estimation, this is undue punishment; and, in a moral point of view, has a downward tendency.

The Penitentiary.

The building erected for this purpose on Blackwells Island, was found in better condition than the establishment at Bellevue; a great portion of it had been recently cleaned, and its general appearance was very good, especially when the statement of the former Keeper, that he was unprovided with necessary implements and materials for cleansing, is considered. The want of necessary clothing, blankets, &c., presented the inmates in a miserable state, and the continued use of blankets, for months without washing or changing, had overrun many of the dormitories with vermin; females were sleeping on a stone floor, with only a dirty blanket to protect them from this hard berth; and the lamentable deficiency in order and discipline was in keeping with the entire want of materials for working quarries, repairing buildings, boats, carts, &c., and making shoes. The females were in idleness for want of the mate-

rials for making oakum, and the quarry had been but partially worked for a long time, because a fire engine was not furnished to draw off the water. The cart harness was worn out, the potato grounds unploughed, and a valuable meadow appropriated to pasture for cattle that resembled "Pharaoh's lean kine;" the storehouse much out of order, and the little it contained left exposed to prisoners.

Mr. Brainerd, the faithful and intelligent Quartermaster, (notwithstanding the hindrances by water,) had, by the labor of prisoners, broken out a large quantity of stone; and there was on the ground at the upper part of the island, about 2,000 tons, suitable for use in the Lunatic Asylum, a considerable portion of which is cut; prisoners are constantly employed in working from this quarry the stone required for the building.

The Penitentiary building is well adapted for *male* prisoners who labor out of doors, and the almost inexhaustible bed of stone upon the island, affords suitable and "hard labor" for these convicts; and, in the opinion of your Commissioners, is a far more salutary occupation, as punishment, than employment within doors.

But it is absolutely requisite that some better arrangement than now exists be made with the *female* prisoners. The building, in which they are confined, affords no room for the pursuit of their labor; and hence it becomes necessary to conduct them every day to and from the "shanties," erected at a distance from the prison; this gives opportunity for familiarities with the males, subversive of all order. Besides, the workshops are far from being large enough to accommodate the hands employed, and are of miserable structure. It is believed that the firm and undeviating enforcement of discipline which characterizes the present Keeper, Mr. Vanderbilt, may correct some of the evils arising from this mal-arrangement; but it is hopeless to anticipate proper punishment, or improvement in moral condition, without a radical correction in this department. Females cannot be suitably employed out of doors, and the system of congregated labor within doors, shuts

out the hope of moral reform among convicts, as it affords almost unceasing opportunities for evil communication, while this induces such relaxation from work, as to render the product of it small. To remedy this, the original plan of arranging Blackwells Island, should be carried out. That plan, as we understand it, was to cut a canal across the island, a short distance north of the Penitentiary, and erect on its southerly side a high stone wall, which should serve as one wall for work shops to be occupied by males. Then to erect a Female Penitentiary on the south end, and outside of another similar wall. This would effectually separate the sexes, render their imprisonment more secure, and afford rooms for various kinds of labor; and however well your Commissioners think of the New York plan of a prison building, for men employed as our prisoners are, they are prepared to say, that it is by no means adapted to the purposes of *female* punishment or labor; and that the Pennsylvania system should be our model, with such improvements as experience may suggest. It is hoped that this subject may meet early attention, and the preliminary steps be taken, without delay, for the completion of the "original plan," by convict labor; the necessity for this must be manifest to all those of your honorable body who have visited Blackwells Island.

Very little regard has been heretofore paid to the personal cleanliness of prisoners; and, in this respect, our Penitentiary is far behind those of other cities. We have, however, commenced an improvement in this important particular, which will be thoroughly carried out, as soon as bathing houses and other apparatus can be prepared.

We would here call the attention of the members of the Common Council who preside at the Courts of General and Special Sessions, to the fact, that male prisoners sentenced for short periods, are a very burthensome expense to the public. Scarcely do they recover from the effects of dissipation, consequent upon the habits of a greater portion of them, when their term expires; and they are discharged, clothed very

often at public expense, soon again to be returned for crime or vagrancy. Thus the punishment due such offenders is frustrated, and the city is taxed for the maintenance of men who are depredators upon society, without an equivalent of labor.

The chapel of the centre building of the Penitentiary is finished, and was first opened for divine worship on Sunday the 2d of July, by the Rev. Mr. Tappan, Chaplain to the establishment. Service is held there, every Sunday morning, through the officiating aid of Clergymen from the city.

It is matter of dispute, even among men of Christian character, whether these unfortunate and abandoned people profit by attending in a *congregated manner*, to the instructions of wisdom. Your Commissioners will not speculate on this point; although their observation, and a high estimate of the ordinances of Christianity, will induce them to continue a course, which, if it should not happily produce reform among individuals, tends, in a very great degree, to the preservation of order and discipline, and discharges the imperative duty of using the *means* of teaching the only path to happiness and heaven. By this means, we believe, the foundation of much good may be laid, which followed up by counsel in private, will leave the *hope* of a reformation, and a return to the proper duties of life.

The Long Island Farms.

This invaluable appendage to the poor establishment of our city, consists of about 230 acres of land, two-thirds of which is under cultivation. We found it presenting a general appearance of neglect and mismanagement; the fences in a miserable condition, the farm house and out-houses much out of repair; the new building, intended as a school house, nursery, &c., materially injured by the neglect of proper filling in round the foundation, and other attentions towards its completion. The oxen and horses were in good working condition, but the cows,

very poor and covered with vermin. Of farming utensils there was not enough remaining to commence the labor on the farm: the deficiency was great indeed, and from information obtained by your Commissioners, that a supply of these articles had been furnished by their predecessors, there must have been depredations, to a considerable extent, committed; much pains and inquiry do not afford light in the matter. The furniture in the house occupied by working paupers, was almost worthless, and the condition of what remained, especially the bedding, very filthy. The clothing of the men was ragged and indecent, and they were without change of garments. Your Commissioners, under such circumstances, dismissed the farmer and appointed, in his place, Martin Rapelyea, whom they consider well qualified for the station, and whose improvements on the land, and attention to repairs of buildings, give earnest of the correctness of this opinion.

The lateness of the season when these premises came under our control, and the hindrance from want of utensils, &c., will prevent the product which *ought* to be obtained from a farm of such dimensions, so well supplied with manure; but it is anticipated that even under such circumstances, a fair crop will be raised from it, and its improvement in condition preparatory to another season, be such as to add largely to its future product. Fencing is required to a great extent, and arrangements will be made to apply the labor of the pauper boys more to the cultivation of the land.

The most interesting charge committed to us, is that of the children located upon the Long Island Farms. Of these we found 328 boys and 105 girls; a great proportion of whom daily attended school in the "lower nursery;" they were unprovided with a sufficiency of clothing, and it is surprising that even the extraordinary assiduity, motherly care and untiring exertions of the Matron, Mrs. Jane Ley, could keep these children in so good condition as they were found, when so little attention had been paid to supplying her with the requisites. The buildings occupied by them are a model for neatness and

systematic arrangement, for which we are indebted to the supervising care of the Matron. Persuaded as your Commissioners are that this part of their duty, rightly administered, will contribute more than any other to ameliorate and improve the condition of the poor, it will be incumbent on us to provide the necessary supplies.

Differing, as your Commissioners do, with their predecessors, in relation to the period of apprenticing pauper children, it becomes their duty to assign reasons for a course which will increase the expenditures for the accommodation of this class. We believe it to be our duty, and the interest of the community, to separate from vicious and incompetent parents, (with their consent,) those children which they may be unable to support without public charity; and to adopt them into the family at Long Island farms; requiring the parents then to maintain themselves. We consider, too, that the best assistance that can be rendered to deserving parents, whose every effort is often frustrated, is, in like manner, to take a portion of their young offspring, until the course of events shall bring about a more favorable state of things with them; or it may be prudent to apprentice the children; but which we are directly opposed to doing at a very early age, and without affording them a *beginning* in the elementary branches of education. So far as we have had observation, the experience of mankind has shewn that the strongest barrier for youth against the moral degradation, consequent upon pauperism or bad example, are the principles implanted in a course of education, attended with the inculcation of moral and religious principle as the basis of all action; and that children thus fitted to enter upon the world, are *far less liable* to become a burden in after years, than those who, in early minority, are indented to persons who evade the obligations of moral and mental instruction, and thus leave them at majority a prey to the consequences of ignorance. Such views induce your Commissioners to adopt, as a *general* rule, the age of ten for the apprenticeship of a boy, and that of twelve for a girl; exceptions to this rule are

however made, under circumstances presenting unusually flattering prospects for the interest of the child.

We are aware that carrying out this course, will tend, for some time, to swell the number of children to be supported by the public ; but as guardians of public *property*, as well as the interests of the poor, it becomes our duty to look beyond the present moment, and to devise, as far as possible, ways to *prevent* as well as relieve the wants of pauperism. In looking then to the future, we apprehend no efforts on this point can be so effectual as those directed to the rising generation ; and that extending towards these the advantages of even a partial education, is the proper means.

To accommodate the increasing number at school, we have caused the room intended for that purpose, in the new building, to be fitted up and occupied, and other necessary repairs to be done, and improvements made on the same premises.

The school is superintended by Mr. Oakey, and is in connexion and under the supervision of the Public School Society of this City ; and we believe, will compare with any other under their charge ; especially when it is considered that time is seldom afforded to perfect a pupil. Many of the children evidence a high order of intellect, and deserve much commendation for their progress in learning ; the number at present in school is , say boys and . girls ; among whom are some whose inability to labor compels their remaining at a period beyond the age fixed for apprenticing.

The boys on the Long Island farm are under the superintendence of Mr. William Guest, who is indefatigable in his exertions for their welfare, and in attention to the interesting objects of his charge ; his task is one of no ordinary character, and the satisfaction to us with which he performs it, will encourage your Commissioners to afford such facilities as circumstances require.

It will suggest itself to the Common Council, that the situation in which we found the buildings, and the destitution of

supplies and other appurtenances, must necessarily involve a greatly increased expenditure for the pending year, and will be materially enhanced by the present embarrassed state of the commercial world. The want of employment, even at this season of the year, is driving thousands to resort to public charity; and the present number of inmates at the Alms House is probably one-third increased by it, while there is a constant necessity for out door relief; many of the applicants being of a character that cannot be refused without the violation of humanity; and the fact, that our Alms House is so nearly full that but few more can be taken, renders it necessary to preserve the remaining room for the sick, helpless and aged. Superadded to the stagnation of trade and the war upon the currency, is the unprecedented influx of foreign emigrants; many of whom, from habit or inability, are incapable of labor; and manifest, by their conduct, that they have lived on parish support at home; while those who have the will and physical ability to provide for themselves, are, from the reasons before mentioned, unable to obtain employment. With all these contributing causes, connected with the general wants of the poor, the most rigid economy, and the exercise of every effort to induce them to provide for themselves, cannot prevent an expenditure unprecedented in the annals of our city.

It will be perceived, then, that, looking forward to the approaching winter, our city will be found without house room, in its pauper establishments, for even the most needy and suffering class of applicants, should they increase in the usual ratio only. The task of your Commissioners will be more difficult and onerous than has fallen to the duty of any former Board. They will endeavor to act with prudence, and supply the *absolute* wants of the needy, in the most economical mode.

Of the number who become a city charge, more than two-thirds are foreigners; and, by a recent weekly report, we find that this proportion is greatly increasing.

The Common Council are apprised, that the emigrants that have landed here for a few months past, are, in the aggregate,

far below the class of those who formerly came among us; and positive proof is not wanting, that Europe is casting upon us the refuse of her *Alms Houses and Prisons*; and these are working their way into our city, through the instrumentality of individuals that are using every means to put them upon us, without "bond or commutation" for support; landing them in adjoining states, and availing themselves of the increased facilities of internal communication. Law is set at defiance, and this metropolis forced to be the recipient of the poor objects who have been deluded from home by "agents", who draw from them the remaining hard earnings of their life, for expenses of transportation, and then shamelessly leave them a prey to want, and subjects of a despondency, produced by the reverse of what these "agents" had informed them was the demand for labor in our country. Our duty, as Commissioners, will be performed, in using every power of the law to compel those who thus introduce emigrants, to provide for their support, when they become a city charge. Thus far, our efforts have been attended with some success.

The authorities of Jersey City have, in an honorable manner, afforded facilities for the re-conveyance of emigrants who have found their way to this city, and applied for aid after landing at Amboy or elsewhere, and becoming thus a charge to such towns. No effort, however, either on our part, or that of the Common Council, can effectually prevent the imposition practised upon our whole country by introducing foreign emigrants through the Canadas and Nova Scotia. They reach us by the varied modes of internal conveyance not subject to the police regulations of our city; and when overtaken by disease or want, cast themselves upon us for support. The number thus forced upon us from the Canadas is very large.

Another difficulty arises from the fact, that *steamboats* from Rhode Island and Connecticut, are not compelled to report their passengers at the Mayor's office; and thus many foreigners are brought to our city, who subsequently become a city charge, without commutation or bond. Your Commis-

sioners having understood that this had been permitted, under apprehensions that the law did not recognise steamboats as coming under its provisions, determined to test the matter by suit; but the proprietors of the line not choosing to risk a trial, conformed to the demand made by us, re-conveying the passengers back, and defraying their charges while here, thus virtually acknowledging the law as applicable to them. We submit to the consideration of the Common Council, how far it would be practicable to demand from such steamboats a report of passengers.

Vast numbers of Europeans are constantly applying to your Commissioners to be sent home at public expense; and when these have been in feeble health, or in any manner so impotent as not to be able to earn a living in our country; or when heads of large families, that must become chargeable from want of employment, we have, occasionally, thought it the best policy to pay their charges to some port near their place of nativity, and have thus disposed of a considerable number. But we are not prepared to approve of the course advocated by many, that of sending away able bodied persons at city expense; while we feel well assured that our noble country can and does afford to all, who are willing to earn their bread by the sweat of their brow, sufficient opportunities to do so. She is full of resources in her own bosom; affording to labor a rich reward for cultivating her soil; and she presents a field for the exercise of physical energies, always ripe to the harvest for those who have health, and strength, and will exert their faculties. And could many of the emigrants have the benefit of proper counsel, before the cupidity of landlords and others deprived them of their little remaining means; and encouraged them to prospects of employment by remaining in the city, they would be directed to such parts of our interior as need their labor; where they would not only find a comfortable home, but lay a foundation for the future hopes of children; and add to the wealth of our country by their industry.

Opinion is much divided on the policy of administering out-

door relief to the public poor. It is esteemed, by some, to be of little use to the receiver; and, by others, an encouragement to dependence. Your Commissioners believe, that, when exercised with prudence, it is the most useful, and the least corrupting mode of affording relief, in a large proportion of instances. Very moderate aid, in money, provisions, or fuel, often enables a family to keep together, and, by united exertions, to avoid becoming inmates of an Alms House; and thus partially sustain their independence, until health or employment renders it no longer necessary to be a burthen upon the public. How much better is this, than, by refusing such aid, to sever the links of society, by forcibly withdrawing, to the enervating seclusion of an Alms House, individuals who could have been retained among their fellow citizens; and, in the course of time, might have risen to stations enabling them to administer to others, in like manner as they had been ministered unto. We are well aware that this mode of relief is subject to much abuse; so are *all* others; and should we leave the poor to suffer until some system is perfected whereby they can be assisted without incurring the hazard of occasional error?

The diet of paupers and prisoners, in respect both to economy and health, being of the first importance, we have not neglected to give due consideration to suggestions made on this head. Food for both classes should be sound and wholesome; observing strictly, to afford a better quality for paupers than prisoners; and, during the warm season, to furnish such portion of salt provisions as is required to check a disposition to bowel complaints, generally attaching to persons who become inmates of these establishments. Some of our Board have visited the alms and prison institutions in other large cities of the Union, with a view to profit, as far as circumstances permit, by any improvements that could be made applicable here. Among other information of importance, it has been ascertained, at Baltimore, from an accurate tabular statement, the result of much pains and strict comparison, that the cheapest article of bread, is that made from superfine, or scratched

wheat flour; and that such is, *at least*, five per cent more economical than the "fine." The standard of our inspection being the highest in the country, often reduces the Baltimore superfine to scratched; and, when the market affords it at fair rates, this suits our purposes best. On this head it is not improper to state, that from quality, or some other cause, as much bread is now produced from fifteen barrels and a half of flour, as was made from seventeen barrels, prior to the twelfth of May last; a difference of ten per cent.

Your Commissioners have experienced much kindness and attention from the guardians and officers of the pauper and prison institutions in Boston, Philadelphia and Baltimore; and, through their politeness, have obtained much information that would be profitable, in the event of constructing new buildings and arranging internal affairs. The noble edifice for the poor at Blockley, in the City of Philadelphia, is unequalled in our country, for munificence, splendid appearance, and extensive accommodation; furnishing, altogether, an evidence of the just reputation of benevolence, characterizing the citizens of that metropolis. The dormitory plan is adopted, in a large portion of the buildings; and its airy halls and high ceilings, have been arranged with due regard to health and comfort.

The Alms House at Baltimore, situated on a beautiful eminence, a short distance from the city, is a fine building; the interior arrangement is on the large room plan, and kept in very excellent order; the rules for its government are prepared with great care; and, for system and economy, it is, in most respects, a superior example. They have a large farm, well cultivated by the labor of paupers, which supplies the establishment with all the requisite vegetables, feed for cattle, &c. An account is opened with every pauper who enters the house, and board is charged them as follows: thirty cents per day, for those who occupy the lying-in ward, and all cases of syphilis; and twenty cents for all other patients, while they are unable to work, and until cured; when they are placed at labor, and allowed from six to fourteen cents per day, without charge for

board, and retained until the demand for their board is liquidated; provided, such detention shall not be over twelve months. Was such a course, in our poor establishment, justified by the laws of the state, the saving to the city would be immense. We therefore respectfully urge an application to the Legislature, for the passage of an act authorizing the Commissioners, at their discretion, to retain at labor, those who become a charge, in like manner as practised in Baltimore; and it does not appear to us, that there is any reasonable objection to the passage of such a law.

The extra arduous duties of your Commissioners, have not afforded leisure to prepare this report, until the period when we have to express our extreme regret, that the efficient and skilful gentleman, who was appointed by your Honorable Body as Resident Physician, has resigned to you his station. In the short space of four months, he has restored the Hospital Department to the excellent condition in which he left it in 1835. To accomplish this, he has sacrificed individual interest, and influenced his valuable coadjutors, Doctors Dubois and Eichenbrodt, to do the same. Such services, we trust, will not be forgotten; and, while Doctor Ogden receives his just meed of praise, for his benevolence and public services, we respectfully bespeak your consideration for the two gentlemen, named as his associates.

We have already stated, more than once, the fact, that the expenditures of the Alms House Department, for the pending year, will far surpass that of any former one; and have endeavoured to lay before you, the causes for this increase. The amount of money, drawn from the City Treasury, has been large; we have to say, however, that it has not been expended for useless purposes; and we point to the present condition of your Alms House and Prison Buildings; to the premises connected with them, and to the great number of inmates to be provided for; the cost of coal and wood for the ensuing winter; together with the increased charges upon establishments, found, as those under our supervision were, in a state of dilapidation,

want, nakedness and neglect; and trust these will bear testimony to the judicious appropriation of the public funds.

It is to be borne in mind, that of the amount disbursed for Alms House expenditures, a considerable amount is returned into the City Treasury, from receipts for board of bonded passengers, and sales of oakum, stone, &c.; and that the very emigration, which contributes so largely, of late, to fill our pauper establishment, is a source of revenue, by commutation fees; all of which should properly go to the credit of the Alms House Department, in estimating the aggregate disbursements.

The tabular statements, subjoined to this report, exhibit the number now in the Alms House, Bridewell, Penitentiary and Hospital; distinguishing natives and foreigners; designating the sexes; whether adults or children, and stating the number of such inmates one year ago.

The practice which we found existing, of permitting officers of your poor and prison establishments, to apply to themselves the mechanical labor of inmates; and to use, for this purpose, the tools and materials belonging to the public, is forbidden by your Commissioners; as well as the keeping of cattle or horses, or raising swine or poultry, or cultivating ground for any *private* purpose. The propriety of this course, will not, we trust, be called in question. We deem it proper, however, to state, that we were confirmed in the necessity of such restrictions, when it was ascertained that waggons, sleighs, harness, boats, tables and bureaus, boots, shoes, &c., had been manufactured and taken from the premises, as the individual property of officers; and when *all* the *swine* and *poultry* were claimed by them. Resisting the latter, we have forbidden the privilege of keeping stock of any kind, to the officers; and anticipate a profit to the city, by applying the offal of the establishments to fattening hogs; of which there are about 200 at present on all the premises; and 100 more can be fed, from what would otherwise be wasted.

As there is no provision for colored children on Long Island

farms, a school has been kept for them at Bellevue, as well for the few white children that are necessarily detained on this side the river. This school had been grossly neglected, but is now in successful operation, and conducted much to the credit of one of the inmates of the house, who devotes his time to this charge.

Your Commissioners are much indebted to the experience and ready co-operation of Superintendent Linus W. Stevens, Esq., in the prosecution of their duties; and they congratulate their fellow citizens that the services of a gentleman so eminently calculated for the station, have been obtained. Few possess the tact for discipline which he does, or enforce it with so much suavity of deportment; and we would not forego this opportunity to express also our approbation towards the subordinate officers of the Alms House, Penitentiary and Bridewell.

Regardless of what may be said as to *our* desire to continue as your Commissioners, we feel called upon to lay aside all fastidiousness on the subject, and plainly to state our opinion, that the departments under our supervision, can never be advantageously conducted or improved by any *settled* policy or system while subject to the frequent and *entire* changes in office consequent upon elections, "during the pleasure of the Common Council." Under this tenure, an extensive project is hardly perfected in idea, and every branch of the City Government convinced of its utility, when public sentiment directs power into other hands, and unfinished measures of the greatest importance in city policy, are made the sport of party; and the laborious efforts of philanthropy and greatest devotion to the public weal, are lost in the tide of opposition to political sentiments. We have reason to believe that the liability to such changes has induced the resignation of the resident Physician, and deprived the public of his invaluable services; and should any circumstance render it necessary to procure a Superintendent of the Alms House, few men possessing the qualifications of the present incumbent, would be willing to abandon

other engagements, and take his station, with no longer certainty of tenure than one year.

Commissioners of the Alms House, Bridewell and Penitentiary, being gratuitous public servants, cannot suffer any individual loss by a short term of service; to discharge *them* from office, is to relieve from an onerous responsibility; but what permanency can there be in the conduct of the institutions under their supervision, when a *whole Board*, without regard to qualifications, may be simultaneously removed, and their places filled by novitiates? The injury that might result from this is incalculable; and the introduction of untried schemes, so consequent upon such total changes, require a check.

We therefore, respectfully, renew the recommendation which has heretofore been the subject of consideration by the Common Council, that application be made to the Legislature of the State, for an amendment to the Act conferring the power on your honorable body for the regulation of the Alms House Department; to the end that you may be authorized to appoint a Resident Physician and Superintendents for a term longer than one year, and the five Commissioners, in the following manner; namely, to be divided into three classes, electing one for *one* year, two for *two* years, and the remaining two for *three* years; at the expiration of which terms, the incumbents to be re-eligible, or their places to be filled for *three* years, thus making an election for one class *every* year. This, it will be perceived, while it gives greater stability to the doings of this department, renders a portion of the commission annually subject to the voice of authority, and may prevent that undisturbed continuance in station, which has been the subject of complaint ever since the law made provision for an election "during the pleasure of the Common Council."

It is said by gentlemen of the medical faculty who have travelled for improvement in their profession, and visited the Hospitals and other public places, for medical treatment, in various parts of the world, that they have seen no institutions presenting such a field for the exercise of their skill, and advancement

of that science, as those under charge of your Commissioners ; should you not then give more consequence, as well as more stability to this medical department ? In our sister city of Philadelphia, where the hospital practice cannot be half as extensive as ours, clinical lectures are delivered three months in the year, in an apartment properly arranged and provided at the Alms House ; which beside producing a revenue of \$3,000 per year, forms one of the best medical schools in our country ; and renders incalculable service to mankind, by diffusing information, and affording facilities to students, calculated to advance them in the noble science to which they have devoted years, for purposes most intimately connected with man's happiness in this life. With such advantages for the encouragement of science, the City of New York should not long forego their use.

When the erection of a new Hospital shall be completed, and the foregoing suggestion shall be thought worthy of proper consideration, we respectfully submit whether an arrangement should not be made for the compilation of a "case book," by some efficient medical practitioner ; making it a faithful record of all the occurrences in the establishment, which, in the judgment of the resident Physician and his advisers, would be servicable to the medical world, accompanied with illustrations and comment, according to their views.

We again take occasion to state, that the office room provided for your Commissioners in the Park, is not sufficient for the proper conducting of their business, notwithstanding the improvements they have caused to be made, and the efforts of their agent, Josiah Mann, Esq., to afford every convenience, that the apartments in his control will allow.

The progress of science and the march of true philanthropy have brought us to those enlightened days, when the exercise of brutal severity towards a maniac, and disbelief in the success consequent upon the application of medical and moral curatives, have vanished as the errors of ignorance and superstition, and the testimony of practitioners of the highest stand-

ing is before the world, to shew that a large majority of lunatic cases will yield to proper care and curatives, if applied in incipency; surely, then, no portion of the public charge calls more imperiously for the proper disbursement of money, and the vigorous exercise of talent than this; and it is highly gratifying to your Commissioners to be officially informed, that such sentiments have banished prejudices from our councils on this subject; and that these have given way to the demands of justice, in authorizing the re-commencement of one wing of the noble edifice for the insane, began in 1834, on Blackwells Island. Your instructions to this effect have met the prompt action of your Commissioners, and a sufficient number of workmen are now employed (under the superintendence of two of the most competent master builders in our city,) to progress rapidly with the building, with the hope of having that wing enclosed before winter sets in.

The action of your honorable body in this particular, renders it, perhaps, unnecessary for your Commissioners to meet in this report the objections that have been worked up against the erection of this building on the proposed site; but they consider it well to place before their fellow citizens, who are taxed for the requisite means, a few suggestions, which, connected with the arguments of your own Committees, and those of the Board of Commissioners of 1834, may aid their unprejudiced minds in answering the wholesale objections of those who have made war against the location and plan of the new Lunatic Asylum. We first would recommend to the perusal of those who have not yet read it, "Document No. 31, Board of Assistant Aldermen, October 13, 1835," which was "laid on the table and ordered to be printed," and has since shared that oblivious fate too often provided for documents which should be seen by *the people*.

Fortified in the groundwork of decision, by careful investigation, we come to the conclusion that the objections which have, for a long time, served as a *pretext* for discontinuing the Lunatic Asylum on Blackwells Island, are futile; and that its

completion is forthwith required for the decent accommodation of insane paupers, as well as to afford a proper "retreat" to such of our fellow citizens as may be visited in a manner to require its advantages, and have the means of remuneration. A comparison of its proposed construction with other institutions of the same kind, brings your Commissioners to the conclusion, that both in this respect and that of its location, it combines the advantages of other establishments, while it will afford many conveniencies, and a salubrity of climate met with in few, if any.

It is not our claim to boast of the "long experience in this department" assumed by our predecessors; but modesty will allow us to say, that "some" of our members have for years devoted time for the personal observation of establishments for the insane, and have not neglected to read and endeavor to learn, the results of experience in countries other than our own. Nor have they been willing to come to conclusions in this important matter, without consulting the views of men who have studied mind as well as matter, and who draw their arguments from irrefutable principles of science, regulated by the practical concurrence of a "long experience," founded on that close personal observation, the usual concomitant of minds directed in their investigations by true philanthropy.

Your honorable body are aware that the plan of the Lunatic Asylum is not of ephemeral production, but the result of long and unwearied study and inquiry, aided by the counsel of professional men of the highest standing; who, while they approved of "architectural fitness" in a building, more especially directed their views to suitable arrangements for the treatment and cure of patients.

Among the foremost of the objections to progressing with this building, is the popular cry of extravagant expenditure and "waste of the people's money, in the erection of a house far more extensive than would ever be required," and similar assertions, calculated to catch the ear of the superficial.

It is to be lamented that few, even of those who lay claim

to "long experience," are disposed often to enter the gloomy and disturbed abode of those bereft of reason, for any other purpose than a curious gaze of these unfortunates; in witnessing the varieties of a disease based on a hallucination of mind, affording merriment to the thoughtless, and producing fear and gloom in the timid. Did other and more reasonable inducements call to these scenes, the delusive ideas of treatment and accommodation which obtain, with the casual observer, would give place to an elevation of feeling and judgment, forerunning the investigation of causes, and seeking to ameliorate the condition of insanity, by the application of means and the provision of surrounding objects, calculated to divert and amuse morbid affections.

To meet the objections made to a "splendid edifice," your Commissioners will take the liberty of quoting from the invaluable report, made to the Legislature of this State, in the year 1830, by a Committee, of which Mr. Paige was Chairman, and which we would recommend to the perusal of all who take an interest in the noble charity of which it treats; as a document presenting, in a condensed form, the labors of vast research, compiled by the help of high intellect and rare acquirements.

"The arrangement of the building, with reference to the seclusion and classification of patients, which is the greatest adjuvant to successful treatment; the provision of all the conveniences for the comfort of patients; the preparation of spacious yards for their exercise and amusement; the erection of workshops, and the purchase and preparation of grounds for their occupation and employment; *and the imposing appearance of the building itself, which is necessary to produce impressions upon the minds of the inmates, combining a belief of comfort with a feeling of grandeur.*"

"Public hospitals, upon an *extensive* plan, also possess the advantage of suddenly, when necessity requires it, exhibiting a *great show of power in subduing the violence of patients.* This advantage is of great importance in the treatment of furious maniacs. They are generally cowards, and yield to su-

perior power; and as frequently one of their delusions is a belief in their supreme power, either divine or human; a conviction of their dependence and weakness breaks the concatenation of morbid ideas, and has a tendency to dispel morbid delusion."

"In fine, nothing can equal the advantages of an extensive establishment, where humanity, science and skill are putting forth their united exertions to procure the comfort, and effect the cure of the insane."

Such arguments, supported by all who have used "long experience" profitably, go far enough to warrant the outlay your Honorable Body have contemplated, and to sanction that "architectural fitness" which has been made the subject of severe animadversion, in relation to the new Lunatic Asylum.

This building, when *entirely* finished, will accomodate 450 patients. There are now nearly 200 insane paupers. Is it, then, rational to say, that the plan is too extensive? when the increase of population and of exciting causes, and the probable receipt of a great number of pay patients are taken into view?

The tender sympathies of some of our fellow citizens are awakened, because a Lunatic Asylum is placed on the same island with a Penitentiary, lest odium attach to these unfortunates in consequence. The lamenes of this resort for argument is so plain, that "he who runs may read."

Fearful that this report may already be considered prolix, we reserve, for future occasion, many suggestions of improvement; considering that enough is already before you, more especially when it is taken into consideration that the uncertain tenure of office in this metropolis, renders it prudent to perfect plans already in progress, rather than to devise others which a change of rulers may frustrate, as in the case of the Lunatic Asylum. All which is respectfully submitted.

P. W. ENGS,
WM. A. TOMLINSON,
Z. RING,
JAMES H. BRAINE,
PETER PALMER.

Note by the Commissioners.

The subjoined tabular statement from the Superintendent, dated 8th September, 1837, exhibits the following, viz. :

Number of inmates in the Alms House, including the					
Hospitals and Long Island farms	.	.	.	.	2,548
Number in the Bridewell	.	.	.	.	132
Do. in the Penitentiary	.	.	.	.	652
Making a total of					3,332
Foreigners	.	.	.	.	2,045
Native Americans	.	.	.	.	1,287
					<u>3,332</u>

A similar statement of 10th September, 1836, is added, in order to exhibit the increase, in one year, and to show that eighty-eight per cent of that increase are foreigners.

Number of inmates in Alms House, &c.					
Do.	do.	Bridewell	.	.	1,833
Do.	do.	Penitentiary	.	.	91
					403
					<u>2,327</u>
Of these, there were Foreigners				.	1,158
Native Americans				.	1,169
					<u>2,327</u>

Total number, 8th September, 1837, as above	3,332
Do. 10th September, 1836, "	2,327
	<hr/>
Increase in one year	1,005
Of this number there are Foreigners	887

This exhibit, it is believed, justifies the demand for increased "commutation fees," and points to the necessity of enforcing all laws touching the introduction of foreign emigrants.

It is to be noticed, also, that a considerable proportion of the children, classed as natives, are born of foreign parents shortly after arrival here.



APPENDIX.



The following letters from the Officers of the Poor and Prison Establishments, addressed to the Commissioners, are made the groundwork of the foregoing report, in regard to their situation when the present Commissioners entered into office.

NO. I.

FROM L. W. STEVENS,

SUPERINTENDENT OF ALMS HOUSE.

Bellevue, June 16, 1837.

GENTLEMEN—In compliance with instructions I herewith furnish a statement of the condition of the Alms House on the 15th May, 1837.

The department under the special supervision of the Matron was, as I expected to find it, so far as her own exertions depended, in good order : she was much in want of clothing and bedding as changes, for the comfort and health of the well, and for the sick. The sick I found in every part of the house.

The department under the special supervision of the Steward was, with the exception of three wards, in a ragged and dirty state.

The whole apartment assigned for the colored inmates, was in a very deplorable condition; ragged, filthy, lousy, and an alarming contagious fever, with no kind of regulations or subordination; wearing the same clothes; using the same bedding, with no purification or cleansing of any kind since last fall. The clothing of the inmates, generally, was ragged, bad and dirty, especially the males; in no wise conducive to comfort or health; some without shirts, and many without sheets or blankets; bedding in a filthy state.

The eating hall dirty and without sufficient quantity of dishes, and no spoons; were obliged to eat with their fingers.

The best well of water on the premises has been totally neglected for about two years, simply owing to a filthy drain passing near it; it was one upon which we are obliged, in case of a drought, to place our whole reliance. Very limited accommodation for the children at the nurseries, owing to the unfinished state of the building, (commenced in the spring of 1835,) intended for sleeping, cooking, eating, and a spacious school room. 120 children are still obliged to eat in a very smoky room, 30 by 25, used also for cooking for 145 or 150 persons, and as a wash room for over 500. Many of the working men are obliged to sleep in a very poor barn, and with little or no bedding, and in a filthy state.

The farm on this side, as well as on the other, was in a bad state. The farming utensils, were in a most deplorable condition, destitute of almost every thing necessary for the purposes of farming; very little hay, and that poor; no straw, no oats or feed of any kind. Carts all in bad order, hardly fit for use; no carriage, waggon or gig; no horses suitable for any purpose, other than cart horses; not a good harness of any description.

Blacksmith, tin and carpenter's shops entirely destitute of stock, not sufficient to repair a cart or make a coffin; very limited stock in the shoe shop and weaving department.

No accommodation for "scrubbing new boarders;" the bathing house out of repair and entirely useless, except as a privy;

in fact, the whole house, in and out, required cleaning and repairing. Almost entirely destitute of clothing or materials for making clothing. Out of tubs, pails and brushes of all kinds.

There has been no regard for the schooling of the colored children.

We found about 50 gallons of molasses, half a barrel of pork, quarter of a barrel of rice, 20 pounds of tea, 10 pounds of chocolate, 10 gallons of wine for the sick ; next to none for the *well*. One barrel of brown sugar, half a barrel of white ; about three cords of wood ; no coal, no meal, not a barrel of flour, no potatoes, not even one to plant ; not a stick of wood or coal at the nurseries, " they burning up the fences." The children at the nurseries were entirely destitute of hats. I received, a day or two since, from my predecessor, a little over \$400, being the balance in his hands. I have paid little short of \$5,000 and there are other bills waiting approval by the late Commissioners.

Very respectfully,

L. W. STEVENS,

Superintendent Alms House.

NO. II.

FROM BENJAMIN OGDEN, M. D.,

RESIDENT PHYSICIAN.

Bellevue, June 28, 1837.

P. W. ENGS, Esq.,

Chairman of Commissioners of Alms House.

By your request I will try to give you a correct account of the state of Bellevue Hospital, on the morning of Friday, 12th May, 1837, when I again took possession of it. In the first place, the night before, eight of the nurses and servants had escaped through the front gate, leaving the sick unprovided for. The whole house was in a filthy state, and the Steward's room wholly destitute of provisions; and the whole concern filled with typhus fever, from top to bottom. They were laying in their filthy blankets, destitute of sheets and pillow cases; and, in some chronic cases, they had not had a change for three months. The reasons assigned for not cleaning were, they could not get the materials from the Commissioners. There was not a stick of wood in the establishment; no coal, no straw; nor had there been, for two months; so that new patients had to occupy beds that had been used by others: in short, they were in a deplorable state. Requisition had been made by my predecessor, again and again, but there was no notice taken of it. Dr. Morrell informed me, that the fever had been prevailing in the establishment ever since last September. There was no clothing for the patients; not a change was to be found; and there had not been any Indian meal, for poultices, for three weeks previous; and no rags to dress the wounds. Upon entering the Hospital, the smell was intolerable.

ble; and it was only through a merciful Providence, that any should have survived to tell the mournful tale. But I need not narrate any more, for you and the other Commissioners visited the establishment with me and know the particulars.

I could not close this brief epistle, without mentioning my assistants, Drs. Thompson, Casey and Stamatioides, who have seconded all my exertions, and I trust they will be rewarded in the thought, that they have smoothed many a dying pillow, and made comfortable many who have seen better days. But it would be ingratitude if I did not recommend particularly to you my two former assistants, Doctors A. Dubois and D. L. Eigenbrodst. They left their quiet and comfortable homes, to assist me in clearing this vile disease from the establishment, and one of them nearly sacrificed his life in the cause of humanity. Indeed, without their assistance, I could not have succeeded, in so short a time, in freeing the institution from this vile pestilence. May God reward them with his choicest blessings. Col. Stevens, and indeed all the officers, deserve my sincere thanks for their ready aid; and to the Commissioners, individually and respectively, the public are under the greatest obligations. They have done more than their duty required, and I hope that the blessing of God will remain with them and theirs.

NO. III.

FROM JAMES COGGESHALL,

KEEPER OF THE BRIDEWELL.

*To the Commissioners of the Alms House, New York.**New York, May 17, 1837.*

GENTLEMEN—In conformity to your request, that a report should be submitted, of the situation I found the prison at Bellevue in, at the time of my appointment and at the present time, I would respectfully report :

That I was appointed Keeper of the City Prison, on the 10th May. The day following I repaired to Bellevue Prison and found Mr. Lyons, the former Keeper, dangerously ill with the prison, or jail fever ; (he died the following morning ;) Mr. James Crawford, his Deputy, in sole charge of the prison ; Mr. A. Stewart, his other Deputy, being also confined with jail fever. I visited, immediately, every ward, and took charge of the prisoners. The Physician reported two ill with the small pox, and fifteen with jail fever—nearly all more or less indisposed. Those infected with the small pox were immediately removed, by order of Dr. Ogden, to the pest house.

The prison was in a very filthy condition. Mr. Crawford informed me, there had been no regular change of blankets in nine months. A requisition to your Board, for blankets, was immediately attended to—the rooms whitewashed ; a free use of chloride, and each prisoner supplied with new blankets, and every other means employed to cleanse the prison. The result was soon obvious. I would observe, that I found the prison destitute of almost every article of domestic convenience, for

which we are constantly in want, and for which I have applied to the Superintendent of the Alms House, who is supplying the deficiencies.

From the assistance of your Honourable Board, in supplying the prison with blankets and other necessities; and from the assiduous attentions of Dr. Ogden to the sick; together with the efficient aid I received from my two Deputies, Messrs. James Crawford and Charles Merritt, I am happy to state, not a case of epidemic disease, of any kind, at present exists in my Department. The prison is now as healthy as can be expected, when the fact is known, that from twenty to thirty are confined in one room; constantly changing a portion of them with delirium tremens, and other filthy diseases.

I have appointed Mr. Charles Merritt, Deputy Keeper, in place of A. Stewart, removed; David Bray, Keeper at Upper Police, vice Peck, removed; John Paterson, Keeper of New House of Detention at Harlaem.

NO. IV.

FROM J. VANDERBELT, ESQ.,

KEEPER OF BLACKWELLS ISLAND.

Blackwells Island, 8th June, 1837.

TO JAMES H. BRAINE, ESQ.,

Commissioner of the Alms House, New York.

SIR—Agreeably to your requisition, I forward you a list of the names of the Keepers and Guards, with their respective pay; the number of the convicts, and the state of the island, on my taking charge, as far as I have had the opportunity to observe.

John Morrell, Keeper and Carpenter, and Keeper of Lunatic Asylum, with a salary of \$800 per annum.

Hezekiah Brainard, Keeper and Quarryman, with a salary of \$800 per annum.

Abraham Parcells, Keeper and Shoemaker, and the Deputy Keeper of the island, under Phillips. Salary \$400.

William Niffen, Keeper and Blacksmith. Salary \$400.

James Burrill,	} Keepers. Salary, each, \$300.
John Gallagher,	
Morgan L. Mott,	
Peter Ritter,	

Philip Marks,	} Keepers & Guard. Salary ea. \$300.
Edward Horton,	
William Galagher and	
Lewis Jessup,	

Zachariah Brainard,	}	Guards. Salary, each, \$300.
Levi Donalson,		
Zachariah Burrell,		
Martin Oakey and		
Conrad Schuyler,		

Dr. Nicholas Morrell, Physician of the island and at the establishment on the Long Island farms, for which he has been allowed \$630 or \$620; \$500 of which is for himself; the balance was allowed to the Keeper of the island, for the services rendered him. The number on the sick list, General Hospital, 33; Fever Hospital, 16; and at the farms, about 30; as rendered by Dr. Morrell, at the time of my commencement. The number of convicts and vagrants, was 354. Males, white, 189; blacks, 55; of whom 78 were employed quarrying and cutting stone on the island; 14 cutting stone at Bellevue; 103 at work in general; 16 sick in Fever Hospital; 33 sick in general Hospital, and 110 females, mostly unemployed.

The island was in a very destitute situation, on my taking charge of the same; there was no coal or wood on it; the shoemakers' department was out of leather and other materials, to furnish the requisite supply of shoes; the prisoners were suffering for a change of clothing and blankets; the women in idleness, not having materials for making up clothing, not even junk to pick oakum; the quarry department was suffering for the want of an engine, and there was a total destitution of every thing requisite for carrying the business on in the various departments. The garden in a backward state, the most of it to be dug and planted; the potato grounds were not ploughed; and one of the meadows was occupied for pasture ground.

Mr. Brainard, the Quarrymaster, in connection with his other duties, has charge of the blacksmiths and stone cutters employed in the upper part of the island; and employs, on an average, about ten men in cutting stone for the Lunatic Asylum. There are now quarried about 2,000 tons building stone; also a considerable quantity of cut stone, for the Asylum; but the quantity of stone is very small, to what it might have been, if Mr. Brainard had had an engine at the time required.

It, however, affords me pleasure to be enabled to say, that the prison was clean, and in such a state as to reflect great credit on Mr. Phillips, the late Keeper; particularly the part allotted to the male convicts. Some of the shantees, however, were not as clean as they might have been; particularly that appropriated for the workshop and eating department for the women. As it respects the department, it is absolutely necessary to have some new arrangement made, to enable us to separate the women from, and prevent all intercourse with the men. Some of the Commissioners, who have had an opportunity of seeing this thing in all its deformity, are aware of the necessity of a different arrangement in this department; and I have no doubt all your associates, upon an examination into it, will unite in views with them. Decency and humanity require it. As philanthropists, and the guardians of the morality of institutions committed to your charge, you will aid those under your direction, in their efforts to purge this establishment from so great an evil; giving every facility to accomplish a reform, whilst under your supervision.

I should have completed this report by the 6th, but have been endeavouring to procure an inventory of the stock, farming utensils, carpenter and blacksmith tools, and all the articles of any value, that belong to the establishment; being confined to the house for the last two days, I am unable to furnish it at this time, but will give it to you next week.

NO. V.

FROM MARTIN RAPELYE,

FARMER, LONG ISLAND FARMS NURSERIES.

June 5, 1837.

PETER PALMER, Esq.,

SIR—I received your letter of the 27th May, requesting a statement of the condition of the Long Island farms, at the time of my taking charge, as to the soil, fencing, &c.

The condition of the farms, house and furniture belonging thereto; the new Nursery, and the stock of cattle, &c.; also, the farming utensils and the sufficiency of the same, with all the information of the faithful appropriation of such articles to the public use.

1. The soil of such parts of the farms as can be cultivated is good. There appears to have been a want of management in planting and sowing, on the part of my predecessor. There appears to be about ten acres of potatoes planted, with very few other vegetables, except in the garden attached to the farm house.

2. The fencing on the farms is in a miserable condition.

3. The farm house and out houses are in a very bad condition, for the want of necessary repairs, both for health and comfort.

4. The new Nursery appears to have been very much neglected, particularly in filling in around the foundation, to prevent the water running through in the cellars, which has been injurious to the building.

5 The oxen and horses are in good condition to work; the cows appear to have been starved, and very much neglected;

I found them very poor, and being full of lice, from want of proper attention.

6. As to farming utensils, I was destitute of articles necessary to commence the labor required on the farm, at the time I took charge. From all the information I can gather from the paupers employed on the farms, there appears to have been a sufficiency of every article necessary, and tools of every description, belonging to the public, for the use of the farms. Having a knowledge of the situation of the farms about two years ago myself, I believe there was nothing wanting at the time my predecessor had charge. The furniture I found, belonging to the farm house, for the use of the paupers, was miserably poor, and in a very filthy condition, what was left of them; bedding in particular; their clothing ragged and indecent, not having a change.

NO. VI.

FROM WM. H. GUEST,

SUPERINTENDENT OF THE NURSERIES.

Long Island Nurseries, June 5, 1837.

P. PALMER, ESQ.

SIR—In answer to your various requisitions, I would beg leave to state, that the number of children at the Nurseries, on the 20th May, 1837, was, boys 328, girls 105—total 433. Laboring women 60, men 4—total 64. Population of the farms 497.

For some time past the supply of clothing has been insufficient; the former practice was to provide two suits a piece for each child, and this would be ample. Shoes have been sparingly provided. Shoes are, during the winter, imperiously demanded, if we would preserve the children in tolerable health.

The bedding has been, for the most part, sufficient; we have at present a number of cots that need to be repaired, and we need, in addition to these, fifty new ones. The children all sleep on cots, and from the necessity of classification to prevent the ophthalmia, it is requisite that each should have a cot; and in winter, that each cot should have a bed, and in summer a suit of sheets and blankets.

Books are supplied by the Public School Society, at the requisition of the Teacher, as well for the library as the use of the school.

NO. VII.

FROM JANE LEY,

MATRON, LONG ISLAND NURSERIES.

Long Island Farm, June 2, 1837.

PETER PALMER, ESQ.

SIR—Your letter of 27th May I have received, requesting various information from me. I shall state them briefly to the best of my memory, viz.:

You wish to know how frequently we have been visited by the Commissioners? &c.

Mr. Targee has not visited the nurseries since the latter end of October. Messrs. Brush & Hart have visited the nurseries, &c. two or three times since that. Their last visit was on or about 20th April last. Mr. Thomas J. Stephens, the Superintendent, I have not seen in *nine* months. Mr. Targee has since that time occasionally visited the *Farmer*, but not the *children*, Matron or *nurseries*, to know their various wants, though he has been repeatedly informed (through Mr. Guest) of the distressed situation of the children, &c. in want of *shoes*, *fuel*, accommodation, &c.

What supply of fuel? &c.

We got out of *coal* and *wood* about the last of February. We had nothing to burn in March or April but brush and chips gathered in the woods by the women and *children*. Messrs. Brush and Hart informed me that our situation had

not been laid before the Commissioners concerning *fuel*. When I informed them, they immediately sent up a sloop load of wood.

What supply of food? &c.

The beef sent up for the children is generally of a very inferior quality, and the supply very *scant*. Bread likewise. Some days we receive none. We then had to substitute potatoes for bread.

What attention or security was taken to have the articles sent up from Bellevue safely delivered?

Attention or security of articles delivered by the Bellevue boat there was *none*. When it pleased the *Captain* of the boat he would bring up the different articles and put them on the *dock*. *Meat*, often brought up without *baskets* or *bags*, and thrown on the dirty dock, and trampled over by the *men*. I have frequently made it known to Mr. Guest, for him to inform the Superintendent.

Have you and the children been as well accommodated with room as the buildings are calculated to afford?

We have used the back part of the new building (lower story) for sleeping rooms, for part of the boys, with no accommodation for *fire* during the whole winter. The girls and small boys are obliged to eat in the wash and cook-house combined; a very uncomfortable place in winter.

We are much in want of cisterns for rain water. There being but one well attached to all the nurseries, and obliged in warm weather to wait three or four hours for the water to run in; it often gives out before breakfast.

☞ Cisterns for rain water and a new well have been provided by the present Commissioners.

Page 100

The first part of the book is devoted to a general introduction to the subject of the history of the English language. It is divided into two main sections: the first section deals with the history of the English language from its origin to the present day, and the second section deals with the history of the English language from its origin to the present day.

The second part of the book is devoted to a general introduction to the subject of the history of the English language. It is divided into two main sections: the first section deals with the history of the English language from its origin to the present day, and the second section deals with the history of the English language from its origin to the present day.

The third part of the book is devoted to a general introduction to the subject of the history of the English language. It is divided into two main sections: the first section deals with the history of the English language from its origin to the present day, and the second section deals with the history of the English language from its origin to the present day.

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The seventh part of the book is devoted to a general introduction to the subject of the history of the English language. It is divided into two main sections: the first section deals with the history of the English language from its origin to the present day, and the second section deals with the history of the English language from its origin to the present day.

The eighth part of the book is devoted to a general introduction to the subject of the history of the English language. It is divided into two main sections: the first section deals with the history of the English language from its origin to the present day, and the second section deals with the history of the English language from its origin to the present day.





Alms House Department, Sept. 8, 1837.

TO THE BOARD OF COMMISSIONERS:—

The Superintendent reports, that there have been received into the Institutions at Bellevue, Blackwells Island, and Long Island Farms, during the week ending the 8th instant, and discharged therefrom as follows, viz.:

ALMS HOUSE.	AT NEWB.					Total.	Foreign.	Natives.
	Men.	Women.	Boys.	Girls.	Infant Boys.	Infant Girls.		
Remaining at last Report.....	811	822	593	370	84	105	2596	1548
Received Paupers.....	37	25	20	17				1048
Discharged.....	68	43	10	5				
Eloped.....	6	7	4	4				
Deceased.....								
Increase.....			6	8	1	2		13
Decrease.....	37	25					48	61
Total in Alms House.....							2548	1487
BELLEVUE HOSPITAL.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Total.	Foreign.	Natives.			
Received from Alms House.....	24	5	29	27	2			
Discharged.....	18	5	23	21	2			
Eloped.....	3	2	5	3	2			
Deceased.....								
MANIC DEPARTMENT.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Total.	Foreign.	Natives.			
Received.....	3	3	6	2	4			
Discharged.....		1	1	1				
Eloped.....	1		1		1			
Deceased.....		3	3	2	1			
Total in Hospital.....	75	61	136	114	22			
Maniac.....	67	89	156	94	62		292	208
LONG ISLAND FARMS.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Boys.	Girls.	Infant Boys.	Infant Girls.		
Received from Alms House.....		3	12	9	2	1		26
Discharged.....			3	2		5		
Eloped.....			2			2		
Deceased.....			3	3		6		
Total on Farms.....	8	75	433	157	12	22		707
Employment.								
At School 6 hours per day.....	321	90				411		
At other work.....						83		
Sick in Hospital.....	89	42				131		
Number not employed.....	23	25	12	22	82			
BRIDEWELL—AT BELLEVUE.	White Men.					Total.	Foreign.	Natives.
	White Men.	White Women.	Black Men.	Black Women.	Total.			
Received.....	36	9	8	2	55			
Discharged.....	18	5	2		25			
Total in Bridewell.....	96	13	20	3	132			132
PENITENTIARY.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Total.	Foreign.	Natives.			
Received.....	10	53						
Vagrants.....		330						
From Court.....		30						
Discharged.....	19	22						
Eloped.....	2	2						
Deceased.....	1	2						
Total in Penitentiary.....	202	360						652
Employment.								
Sewing and Washing.....		55						
Picking Oakum.....		145						
In the Hospital.....	35	80						
Quarrying stone.....	111							
Employed on Lunatic Asylum and other work.....	146							

Alms House Department, Sept. 10, 1836.

TO THE BOARD OF COMMISSIONERS:

The Superintendent reports, that there have been received into the Institutions at Bellevue, Blackwells Island, and Long Island Farms, during the week ending the 9th instant, and discharged therefrom as follows, viz.:

ALMS HOUSE.	AT NEWB.					Total.	Foreign.	Natives.
	Men.	Women.	Boys.	Girls.	Infant Boys.	Infant Girls.		
Remaining at last Report.....	508	603	478	255	81	87	1844	914
Received Paupers.....	21	22	12	13	2	2		930
Discharged.....	20	25	10	8	1	2		
Eloped.....								
Deceased.....	6	6	2	2				
Indentured.....								
Increase.....		5	9	3	1			
Decrease.....	508	594	478	258	82	87	1833	890
Total in Alms House.....								948
BELLEVUE HOSPITAL.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Total.	Foreign.	Natives.			
Received from Alms House.....	10	7	17	12	5			
Discharged.....	13	6	19	16	3			
Eloped.....								
Deceased.....	5	4	9	7	2			
MANIC DEPARTMENT.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Total.	Foreign.	Natives.			
Received.....	3	3	6	4	2			
Discharged.....	4		4	4				
Eloped.....								
Deceased.....	1		1	1				
Total in Hospital.....	47	25	72	53	19			
Maniac.....	55	80	135	87	48		207	
LONG ISLAND FARMS.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Boys.	Girls.	Infant Boys.	Infant Girls.		
Received from Alms House.....			12	17	1	1		35
Discharged.....			3	1		5		
Eloped.....		1						
Deceased.....			1					
Total on Farms.....	4	66	315	115	14	19		533
Employment.								
At School 6 hours per day.....	250	50				300		
At other work.....	3					3		
Sick in Hospital.....	47	53				100		
Number not employed.....	18	9	14	19	60			
BRIDEWELL—AT BELLEVUE.	White Men.					Total.	Foreign.	Natives.
	White Men.	White Women.	Black Men.	Black Women.	Total.			
Received.....	45	2	9	3	59			
Discharged.....	22		2		24			
Total in Bridewell.....	70	4	15	2	91			91
PENITENTIARY.	Men.					Total.	Foreign.	Natives.
	Men.	Women.	Total.	Foreign.	Natives.			
Received.....	12							
Vagrants.....		115						
State Convicts.....		32						
Discharged.....	6							
Total in Penitentiary.....	256	147						403
Employment.								
Quarrying Stone.....	83							
At other Work.....	123							
In the Hospital.....	35							
Unemployed and Invalids.....	13							



DOCUMENT NO. 33.

BOARD OF SUPERVISORS,

SEPTEMBER 11, 1837.

*Report of the Special Committee in relation to taxes for 1837.
Adopted.*

THOMAS BOLTON, *Clerk.*

1. *Resolved*, That there shall be raised by tax, on the estates, real and personal, of the freeholders and inhabitants of, and situated within the City, to be collected, the sum of twelve hundred and fifty thousand dollars ; and, also, such further sum, by tax as aforesaid, as may be necessary for supplying the deficiencies of taxes upon any and every one of the wards of this city, imposed or laid during the year one thousand eight hundred and thirty-six, and for defraying the expenses of assessing and collecting said taxes ; said taxes to be raised by virtue of, and in conformity with the provisions of the Act of the Legislature of the State of New York, entitled, " An Act

to enable the Mayor, Aldermen and Commonalty of the City of New York, to raise money by tax," passed March 17, 1837.

2. *Resolved*, That there shall be raised by tax, on the estates, real and personal, of the freeholders and inhabitants of, and situated within this city, to be collected, the sum of thirteen thousand six hundred and eighty-eight dollars and ninety-nine cents; being the amount of monies last appropriated by the State, to the City of New York, for the support and encouragement of Common Schools in the City of New York; said tax to be raised and collected by virtue, and in pursuance of the provisions of the Revised Statutes, volume i, chapter xv, of Public Instruction, title ii, article 7, section 117.

3. *Resolved*, That there shall be raised by tax, on the estates, real and personal, of the freeholders and inhabitants of, and situated within this city, to be collected, a sum equal to four-eightieths of one per cent., of the aggregate valuations of such estates, as the same were returned by the Assessors, for the year one thousand eight hundred and thirty two; said tax to be raised and collected by virtue, and in pursuance of two laws of this State entitled, "An act for the further support and extension of Common Schools in the City of New York." See volume i, Revised Statutes, new edition, pages 482—3.

4. *Resolved*, that there shall be raised by tax, on the estates, real and personal, of the freeholders and inhabitants of, and situated within the city, to be collected, the sum of fourteen hundred and thirty dollars, for the support and instruction of eleven mutes, at the New York Institution for the Instruction of the Deaf and Dumb; said tax to be raised and collected by virtue of, and in pursuance of the Laws of the State, entitled, "An Act to amend an Act entitled an Act extending and supplementary to certain Acts, providing for the Indigent Deaf and Dumb within this State," passed 15th April, 1825; and for other purposes, passed 15th April, 1830; and for ex-

tending former Acts for five years from and after first of May, 1836, passed May 26, 1836.

The Special Committee, to whom was referred the resolutions causing a tax to be levied on the estates, real and personal, of the freeholders and inhabitants of the City of New York, in pursuance of a law passed 17th March, 1837, respectfully

REPORT:

That the tax proposed to be raised, amounts to \$1,250,000 for the expenses of the city, including lamps and watch; the tax raised last year was \$950,000 for the same.

In addition to this amount, the further sum of \$99,269 99, for Common Schools and other incidental charges, must be added, making the whole amount of tax for the year 1837, \$1,349,269 99, if the whole sum allowed by law is raised.

The assessed value of the real and personal estate of this city, for the present year, as returned by the Assessors, is \$263,585,165, being a reduction below that of the last year, of \$45,876,035.

This reduction would materially increase the per centage on the valuation of the property, though the tax might remain the same, if the same amount of tax should be raised on the whole city.

Considering the present situation of our citizens, and the depressed state of business, your Committee have hesitated as to the propriety of raising so large a tax for this year. It will be seen that the proposed increase of tax by-law, is \$300,000, or one-third more than last year; a sum altogether too large

to add to the annual tax, for the present year, under existing circumstances. At the same time, they are not willing to sanction, by any recommendation on their part, the transferring of any portion of the annual expenses of the city, from the annual tax to the permanent debt of the city.

This they consider both unwise and unjust. The annual expenses of government should be annually borne by the people, and not transferred as a debt for posterity to pay. But, on the other hand, your Committee think it equally unjust, to collect by tax, during any one year, the expenditures which are intended to benefit the future inhabitants of the city more than the present ones; and of such a character do they consider the water pipes that have already been laid.

Though they are undoubtedly useful to the city, for the purpose of extinguishing fires, yet as they are of a permanent character, and will, when the water is brought to this city from the Croton, be the means by which that water is to be distributed, your Committee think that the cost of them should not form a part of the annual tax of the city, but should be charged to the Water Loan.

On examining the expenditures for this subject, your Committee find that there has been already expended \$267,759 89; and, with what is ordered, that the expenditures, up to the 1st of January, 1838, for water pipes, will exceed \$300,000. Your Committee, with a view of relieving the city from so enormous an increase of tax as would otherwise be necessary, are of opinion, and recommend that this expense be charged upon, and paid by the Water Loan; and the amount thereof paid into the Treasury, for the current year. This will leave the tax to be raised for the present year, about the same as it was last year; and, at the same time, will enable the city to meet its expenditures.

An application will be necessary to the Legislature, to remove any doubt which may exist, as to the right of using this money from the Water Loan, except when drawn for to pay expenditures made by the Water Commissioners; and it will be

advisable, at the same time, to obtain the requisite authority, so as hereafter to make all payments for water pipes out of that fund ; but as this properly belongs to the Common Council, your Committee do not think any further remarks necessary in relation thereto, at this time.

The Committee therefore recommend, that the resolutions referred to, be amended by striking out the words "twelve hundred and fifty thousand," in the first resolution, and inserting the words "one million," and that so amended the resolutions be adopted.

Respectfully submitted.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.





DOCUMENT NO. 34.

BOARD OF ALDERMEN,

OCTOBER 4, 1837.

The following Ordinance was presented by Alderman Randall, as a substitute for one as printed in Doc. 31, relative to the appointment of additional Collectors of Arrears of Taxes.

THOMAS BOLTON, *Clerk.*

A Law to amend the Law entitled "A Law creating a Department of Finance, and prescribing the duties of the Officers thereof," and the Laws amending the same.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. There shall, from time to time, be appointed in the respective districts, hereinafter established, such discreet and

proper persons as the Common Council shall think proper, who shall be known as the Collectors of the Arrears of Taxes; and who shall severally give the like bonds as is now by law required of the Collector of the Arrears of Taxes; and shall perform the same duties, and be subject to the same provisions as is now by law required of, and provided concerning the collection of the arrears of taxes.

§ 2. The said Collectors shall severally be entitled to receive the compensation now provided by law, on the amounts collected by them respectively.

§ 3. These districts shall, for the purposes aforesaid, be, and the same are hereby established; the first whereof shall consist of the 1st, 2d, 3d, 4th, 5th, 6th, and 7th wards; the second district shall consist of the 8th, 9th, 10th, 11th and 12th wards; the third district shall consist of the 13th, 14th, 15th, 16th and 17th wards; and the present Collector of the Arrears of Taxes shall, and he is hereby declared to be the Collector of the Arrears of Taxes for the said first district.

§ 4. So much of the provisions of the said law, hereby amended, as are inconsistent herewith, are hereby repealed.

DOCUMENT NO. 35.

BOARD OF SUPERVISORS,

OCTOBER 3, 1837.

The Counsel of the Board, to whom was referred the resolution to report whether the bonds of Collectors for Taxes, are in any event a lien on real estate, &c., &c., presented the following report thereon, which was ordered on file.

THOMAS BOLTON, *Clerk.*

At a meeting of the Board of Supervisors, September 26, 1837, the following resolution was adopted:

That the Counsel report to this Board, at its next meeting, whether the bonds of Collectors for taxes are, in any event, a lien on the real estate of the parties executing the same; and if so, in what place such bonds should be filed, in order to make them a lien when executed.

The subscriber, to whom was referred the annexed resolution of the Board of Supervisors, respectfully

REPORTS:

That by the Act entitled "An Act to reduce several laws, relating particularly to the City of New York, into one Act," passed April, 1813, it was provided that Collectors of Taxes in the several wards of the City of New York, should give bonds for the faithful performance of the duties of the office, to the Mayor, Aldermen and Commonalty of the City of New York, in such penalty and with such sureties, as should be deemed sufficient by the Chamberlain or Treasurer of the City. In the act for assessment and collection of taxes, passed 23d April, 1823, section 26, it is provided, that every Collector, chosen or appointed in any town, or in any ward of any city of this State, shall execute to the Supervisor of such town or ward, a bond, with one or more sureties, to be approved of by the Supervisor of such town, in double the amount of such taxes; which bond, so taken and approved by such Supervisor, shall be, and is hereby declared to be a lien on all the real estate within the county in which such Collector shall reside, held jointly or severally, either by the Collector or his sureties, at the time said bond shall be filed in the office of the Clerk of said County; and it is made the duty of the Supervisor, to file such bond in the Clerk's office of said county: Provided, that nothing in this section contained, shall be held to extend to the City of New York, or to vary the laws now in force, respecting the bonds given by Collectors within the City of New York.

By the Revised Statutes, in the chapter relating to towns and town officers, it is provided, that every person, appointed or chosen to the office of Collector, shall give bond, &c., in the same manner as provided in the Act of 1823; with the same provisions as to its being a lien on real estate, and

contains no provision excluding New York from its operation. If the questions presented by the resolution depended on the Revised Statutes alone, I should recommend a compliance, as near as could be, in the execution, approbation and filing of the bonds of Collectors in this city; in order to secure, if possible, the advantage of the law. They could not be taken to the Supervisor of the ward, because the law is unchanged requiring the bonds to be executed to the Mayor, Aldermen, &c., and to be approved of by the Treasurer of the City; but the Alderman of each ward might join in the approbation, and afterwards cause the bond to be filed and docketed in the Clerk's office; though, even then, it would be very doubtful, from such difference in the form of the bond and proceedings, whether it would be a lien or no. But I think there is a more substantial difficulty. The Act of 1813 is in full force, and was not revised. The Act of 1823, which first made these bonds a lien, and which expressly excluded New York, was revised and repealed; and this provision included in a chapter specially providing for the election and duties of town officers, having little or no reference to the City of New York, and retaining, therefore, constructively, the exclusion of New York from this provision, though not retaining it in words. I am of opinion that the bonds of Collectors of the City of New York cannot be, in any manner, made a lien on the real estate of such Collectors or their sureties, without further express legislative enactment. Respectfully

GEORGE F. TALMAN.

DOCUMENT NO. 36.

BOARD OF ALDERMEN,

OCTOBER 16, 1837.

Report of the Street Committee, in favor of extending Suffolk street to East Broadway. Laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petition and remonstrance, in relation to extending Suffolk street to East Broadway, respectfully

R E P O R T :

That the proposition is to extend Suffolk street, from Division street to East Broadway, and to include also as street, the triangle formed by the junction of Suffolk, Jefferson, and Division streets. The whole improvement occupying about seven lots, twenty-five feet wide, by about fifty-eight feet deep, upon which there are now but two buildings, one situate on the triangle alluded to, and recently built, and the other an old frame building on Division street. The buildings formerly occupying the other portion of the ground, consisting

of old wooden dwellings, having been recently removed for the purpose of erecting new ones.

The Committee do not hesitate to say that, in their opinion, the extension of Suffolk street, is a desirable, judicious, and necessary improvement: that, it will promote the interest of two large sections of the city, lying north and south of Division street, by removing the barrier by which they are now separated, and affecting their direct communication. It will also be productive of great benefit to the property on Jefferson street and on Suffolk street, particularly the latter, which is now closed by Division street, but which if extended to East Broadway, will open into Jefferson street, with which it will connect and form a direct outlet to the East River. The Committee are, however, of opinion, that it is inexpedient to include the triangle in extending the street; by leaving out which, the principle opposition will be removed and the improvement obtained at nearly half of the expense, the triangle occupying about three lots and containing one building. The Committee therefore recommend the adoption of the following resolution:

Resolved, That Suffolk street be extended to East Broadway, agreeable to the lines drawn on the accompanying map, and that the Counsel take the proper legal measures to carry this resolution into effect.

C. DE FOREST,
NEHEMIAH WATERBURY.

DOCUMENT NO. 37.

BOARD OF ALDERMEN,

NOVEMBER 13, 1837.

The Committee on Wharves, Piers and Slips, to whom was referred the report and resolution from the Board of Assistant Aldermen in favor of the petition of Rodman and Samuel Bowne, lessees of the Catherine Slip Ferry, for certain improvements in ferry slip, on the Brooklyn side, presented the following report thereon, which was laid on the table, and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Wharves, to whom was referred the petition of Rodman & Samuel Bowne, together with a report thereon from the Board of Assistant Aldermen, beg leave to

REPORT:

That they have given the subject their careful attention, and are constrained to dissent entirely from the report and resolution of the Board of Assistant Aldermen, which proposes the

building, by the Corporation, of a bulkhead across the front of the slip, in conformity with the diagram annexed to said report. Should the resolution of the Board of Assistants be concurred with, the necessity would at once arise of building a pier on each side of the slip, for the protection of the ferry, at an expense (as it will appear from the estimate of the Superintendent of Wharves hereto annexed,) of \$6,350.

Your Committee have examined the proceedings of the Corporation in regard to this ferry retrospectively to 1817, and it appears that the original grant was made with the understanding that the Corporation should not expend money on the Brooklyn side; and although they have, in one instance, (in 1820,) permitted an expenditure in the erection of a wharf in front of the upland belonging to Messrs. Bownes, it was on condition that they should convey to the Corporation the *fee* of one half thereof. Your Committee have not been able to lay their hands upon the paper conveying that wharf to the Corporation, and therefore cannot say whether it is incumbent on the Corporation to keep it in repair. And in the absence of that conveyance, your Committee have deemed themselves justified in the belief that the Corporation is so bound, notwithstanding the whole course of legislation seems to convey the impression that it has uniformly been understood by our predecessors that the Corporation were not to be called upon to expend any money on the Brooklyn side. It also appears from the records of the Corporation, that the Messrs. Bownes, at the same time, conveyed to the block or breakwater on the westerly side of the slip, from which to the slip have been placed piles for the accommodation of the ferry; and in the absence of the document of conveyance, your Committee have assumed that the Corporation, being the owner, may be obligated to also keep this in repair.

Such being the facts, your Committee have been desirous of placing the rights of the Corporation on that side of the Catherine street ferry, on a basis that cannot be misunderstood by our successors; and with this view, they have had frequent

intercourse with the petitioners, and have arrived at the understanding with those gentlemen, which your Committee trust will meet the approbation of the Common Council. The following resolution is offered for your adoption :

Resolved, That the interest which the Corporation has in the one half of a certain wharf in Brooklyn, lying and being north of Main street, and in front of the property of Rodman and Samuel Bowne, (and which is said to have been conveyed by them to the Corporation,) be quit-claimed to the said Rodman & Samuel Bowne, on the following conditions :

1st. That the said Rodman and Samuel Bowne, before the first day of May next, cause a permanent bulkhead to be built on a line parallel to the north side of Main street, and extending to the end of the wharf above-mentioned.

2d. That they also build, by the said 1st of May next, a bulkhead across the slip, on a line with the west side of Plymouth street, as laid down in the annexed diagram.

3d. That the said Rodman and Samuel Bowne convey to the Corporation the *inside* of the wharf, on a line with the north side of Main street, for the purpose of a ferry for ever.

4th. That the said Rodman & Samuel Bowne shall enter into an agreement with the Corporation, providing that the Corporation shall not be bound or expected to expend any money on the Brooklyn side of the Catherine street ferry, during the continuance of the lease.

All which is respectfully submitted.

CHARLES DE FOREST,
JOSEPH HOXIE.



DOCUMENT NO. 38.

BOARD OF ALDERMEN,

NOVEMBER 20, 1837.

Report of the Select Committee, to whom was referred the resolution touching the discovery of Gedney's Channel, and to take some suitable mode of expressing the deep sense of obligation which they, in common with this community, feel towards the discoverer of the said channel. Laid on the table, and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

Whereas, a new channel from this port to the sea, has lately been discovered, and its practicability demonstrated, and the same is a matter of primary and deep importance to this City and the whole State; therefore,

Resolved, That this Common Council (if the Board of As-

sistants concur) will take some suitable mode of expressing the deep sense of obligation which they, in common with this community, feel towards the discoverer of the said channel.

The Select Committee, to whom was referred the resolution of this Board, touching the discovery of Gedney's Channel,

R E P O R T :

That the discovery of a new and deep channel to the sea, from this port, has been demonstrated by the passage through it of the packet ship Roscoe, and the line of battle ship Ohio ; that the same not only affords a more direct and shorter access to and from the ocean, but its entrance is practicable with winds, with which heretofore this port could not be entered. The safety of lives and property are promoted by this discovery—the interest of commerce advanced—and the prosperity of this great entrepot of the state, increased and assured. But the local advantages to be derived by the City of New York, however great, are not the only ones which enter into a just and extended view of this important subject. New York, the queen of our western world, is destined shortly to be connected, by an extensive line of internal improvements, with the Ohio and the great valley of the Mississippi. Whatever benefits are to be derived from the rapid and safe interchange of commodities here, will be felt in every part of that immense and fertile region ; and while it pours its rich products into our emporium, Buffalo as well Cincinnati, Rochester as well as Chicago, will all reap the inappreciable benefits of this discovery.

Your Committee diligently inquired to whom the honor of this discovery was due, and for that purpose entered into a correspondence with those best able to give a sound and discriminating opinion. That correspondence is hereto annexed. Your Committee are entirely satisfied, though certain deep water had been marked on the charts of those active and enterprising hydrographers the Messrs. Blunt, that the honor of the discovery of this new channel, which is now buoyed out, and used, is solely due to Lieutenant Thomas R. Gedney, of the U. S. Navy, and a citizen of South Carolina.

Your Committee believe they are only announcing a grateful duty imposed on this Common Council, when they state, that it is due to the position and liberality of this great commercial metropolis, to mark their appreciation of this invaluable discovery, by conferring, in some proper way, honor upon its author. It is equally the dictate of a wise and enlightened policy, and of just and honorable sentiments towards public benefactors. Fortunately we are not without examples here and in other countries. In 1833, Lieutenant Denham, in prosecuting an Admiralty survey of the bar of Liverpool, discovered a new and deeper channel into the Mersey, a circumstance of incalculable value to the commerce of that port. Lieutenant Denham received, in consequence of it, the freedom of the city, and was afterwards promoted by his Sovereign. The benefits to be derived by our merchants, our Insurance Offices and all the interests of trade, from the discovery of our new channel, demand, in the opinion of the Committee, that equal honors and rewards should be conferred on Lieutenant Gedney; and that we should convey to him an expression of the lively sense of gratitude and regard which this Corporation entertain for that officer. The Committee therefore offer the following resolution:

Resolved, That his Honor the Mayor, with the concurrence of the Select Committee, present to Lieutenant Tho-

mas R. Gedney, of the United States Navy, such testimonial as they may think proper, on behalf of this Corporation, and that one thousand dollars be, and are hereby appropriated therefor.

M. C. PATERSON,
D. P. INGRAHAM,
G. W. BRUEN.

To Commodore Ridgely, &c. &c

NEW YORK, October 24, 1837.

SIR,—A proposition has been submitted to the Common Council of this City, to express to the discoverer of "Gedney's Channel," in some suitable form, their sense of the obligation which this community and the State at large owe to him, on account of the auspicious result of his invaluable labors.

Though I have no doubt as to the individual to whom this tribute may be due, yet it seems proper that the fact should be placed upon the Records of the City, in an appropriate and formal manner. I have therefore, with that view, taken the liberty of addressing to you this note, as the Commanding Officer of this Naval Station, and of inquiring of you, to whom the credit of the discovery of this channel may be justly due.

I have the honor to be, with great respect,

Your obedient Servant,

M. C. PATERSON,

Chairman of the Select Committee, &c.

To M. C. Paterson, Esq.,

Chairman of the Select Committee of the Common Council, New York.

NAVY YARD, NEW YORK,

October 25, 1837.

SIR,—I have this day received your letter, as Chairman of the Select Committee of the Common Council of the City of New York, wishing to be informed in a "formal manner," to

whom the credit of the discovery of a new channel, called "Gedney's Channel," at the entrance of this port, should be given.

You are aware that the survey of the coast of our country, including soundings, head lands, bays, creeks, inlets, &c. &c., has been, for some time, in progress, by order of the Government, under the immediate superintendence of Mr. Hassler; and that several Officers of the Navy have been assigned to him in the prosecution of this great national work. That part of the practical survey of the coast, from the east end of Long Island to the harbor of New York, including the East River to Hurl Gate, and North River to Tappan Bay, was assigned to Lieutenant Thomas R. Gedney, of the U. S. Navy, and a native of South Carolina. In the prosecution of these duties, *he* discovered this new and deep channel, which has taken his name, and to none other is the credit of the discovery due, and on none other can the intended tribute, by the Common Council, be justly bestowed.

I have the honor to be, with great respect,

Your obedient Servant,

C. G. RIDGELEY.

To Captains Kearney, Sloat, and Perry, U. S. N.

Board of Officers for examining Light Houses. and fixing Buoys and Beacons in the Harbor of New York.

NEW YORK, November 16, 1837.

GENTLEMEN,—I take the liberty of addressing you in regard to the discovery of the new channel from this port, and I am induced to do so, not only from your official position, but from your long and intimate acquaintance with our harbor.

I have to request you, in behalf of the Committee of the Board of Aldermen appointed on this subject, to inform me to whom, in your judgment, the credit of a discovery, so important in every point of view, may be justly attributed.

I have the honor to be, Gentlemen,

Your obed't humble Servant,

M. C. PATERSON,

Chairman of the Select Committee on the subject of Gedney's Channel.

To M. C. Paterson Esq.,

Chairman of the Select Committee, on the subject of Gedney's Channel,
New York.

NEW YORK, November 16, 1837.

SIR,—We have had the honor to receive your communication of this date, and in reply to your inquiry, "*To whom, in our judgment, should be attributed the discovery of the new channels leading to this great commercial emporium,*" we unhesitatingly, and with the greatest satisfaction say, to Lieut. Thomas R. Gedney. Deep water to the east of the Romer Shoal, is laid down in the chart of those well known and enterprising hydrographers, the Messrs. Blunt; but to the tracing out of the East Channel, for purposes of practical use, Lieutenant Gedney is, in our view, entitled, to all the merit; and in regard to the Man of War Channel over the outer bar, he may lay equal claim to discovery.

In corroboration of these opinions, we may remark, that so far as we have been able to learn, the Roscoe Liverpool packet, Captain Delano, and the Ohio line of battle ship, Capt.

Kearney, were the first that ever passed through these respective channels; both, as we understand, conducted through, having pilots on board, by Lieutenant Gedney.

We are, Sir, with great respect,

Your most obedient Servants,

LAWRENCE KEARNEY,
JOHN D. SLOAT,
M. C. PERRY,

Captains U. S. Navy.

DOCUMENT NO. 39.

BOARD OF ALDERMEN,

NOVEMBER 20, 1837.

Report of the Superintendent of Streets, in answer to the resolution of the Alderman of the 12th ward, made 25th September. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

Resolved, That the Superintendent of Streets report to this Board at its next meeting, the amount expended for cleaning streets, since the first of January last, and the amount for which the manure has been sold during the same period. and also whether some alteration cannot be made from the present mode of cleaning streets, by which the expenditures in that department may be lessened.

The Superintendent of Streets in obedience to a resolution of the Board of Aldermen, requiring him to report to that Board the amount expended for cleaning streets since the first of January last, and the amount for which the manure has been sold during the same period, respectfully

REPORT:

That the amount expended for cleaning streets, since the first of January last, up to the first day of November, instant, is \$141,256 16
 Sales of manure from 1st January to 1st Nov. 41,330 16

Deficit \$99,926 00

Expenditures for the year 1837.		Sales of manure for the year 1837.	
		Loads.	
January . .	\$8,709 88	January 1,102	} at 30 cts.
February . .	8,431 99	February 1,162	
March . .	19,838 98	March 9,170	
April . .	22,679 35	April 40,989	
May . .	16,551 79	May 21,507	} at 28 cts.
June . .	13,568 51	June 13,465	
July . .	14,499 44	July 14,771	
August . .	12,645 09	August 13,028	
September . .	13,368 52	September 15,807	
October . .	10,962 61	October 11,326	
	<u>\$141,256 16</u>		
		142,327 loads.	
		<u>\$</u>	

In answer to that part of the resolution, asking whether some alteration in the mode of cleaning streets cannot be made, whereby the expenses can be reduced, I have only to observe, that I have pursued such a course as seemed to me to be the least expensive, and would be pleased to hear any

suggestions from your honorable body, by which they could be reduced, inasmuch as it would be highly gratifying to me, as well as add to my reputation as the head of the department.

JEFFERSON BERRIAN,

Superintendent of Streets.

The following is an exhibit of the expenditure and sales of manure, for the year 1836, as taken from the Comptroller's book:

Expenditure for 1836.		Sale of manure for 1836.	
		Loads.	
January . . .	\$6,980 71	January . . .	382
February . . .	8,006 63	February . . .	000
March . . .	16,780 22	March . . .	355
April . . .	22,129 65	April . . .	20,269
May . . .	23,084 75	May . . .	39,393
June . . .	15,824 08	June . . .	25,888
July . . .	16,108 04	July . . .	21,180
August . . .	15,956 56	August . . .	19,610
September . . .	13,367 30	September . . .	14,586
October . . .	15,277 60	October . . .	17,009
November . . .	15,327 57	November . . .	9,873
December . . .	12,441 31	December . . .	7,090
	<u>\$181,284 42</u>		<u>175,635 loads.</u>
Sales of manure . . .	52,690 50		30 cts. pr. ld.
Deficit . . .	<u>\$128,593 92</u>		<u>\$52,690 50</u>

☞ There were removed from the streets 18,000 loads of ashes and street rubbish, between 15th of May and 1st November, 1837, exclusive of street manure.

The following is an exhibit of the monies received and returned to the City Chamberlain, for the years 1836 and 1837, as per Comptroller's books.

By Abraham Hatfield, 1836.		By Abraham Hatfield, 1837.	
January . . .	\$3,199 35	January (no return) \$	
February . . .	915 60	February . . .	4,245 20
March . . .	656 90	March	
April . . .	2,272 50	April and up to } 11,321 00	
May . . .	5,618 85	15th May	
June . . .	3,350 33		
July . . .	3,707 05	A. Hatfield's rec'ts.	\$15,566 20
August . . .	5,215 35		
September . . .	4,607 40		
October . . .	3,373 45		
	<u>\$32,916 78</u>		
November . . .	4,305 05	Received and paid in to City Chamberlain, by Jefferson Berrian, 1837.	
December (no return)			
		From 15th May	\$2,164 65
		June . . .	6,718 49
		July . . .	4,981 75
		August . . .	5,071 90
		September . . .	5,292 69
		October . . .	4,026 82
		J. Berrian's rec'ts.	\$28,256 50
		A. Hatfield's rec'ts.	15,566 20
			<u>\$43,822 70</u>

The following is an exhibit of monies expended under the direction of Abraham Hatfield, Superintendent of Streets :

For the year 1836.				For the year 1837.				Difference of 1836 and 1837.	
								Over.	Less.
January	.	.	\$6,980 71	January	.	.	\$8,709 88	\$1,729 17	\$
February	.	.	8,006 63	February	.	.	8,431 99	425 36	
March	.	.	16,780 22	March	.	.	19,838 98	3,058 76	
April	.	.	22,129 65	April	.	.	22,679 35	549 70	
				To 15th May	.	.	8,887 13		
			\$53,897 21				\$68,547 33		
				The following is an exhibit of the monies expended under the direction of Jefferson Berrian, Superintendent of Streets :					
				For the year 1837, from					
May	.	.	\$23,084 75	15th May	.	.	\$7,664 66	\$	6,532 96
June	.	.	15,824 08	June	.	.	13,568 51		2,255 57
July	.	.	16,108 04	July	.	.	14,499 44		1,708 60
August	.	.	15,956 56	August	.	.	12,645 09		3,311 47
September	.	.	13,367 30	September	.	.	13,368 52	1 22	
October	.	.	15,277 60	October	.	.	10,962 61		4,314 99
November	.	.	15,327 57						
December	.	.	12,441 31						
			\$181,284 42				\$141,256 16	\$5,764 21	\$18,123 59







DOCUMENT NO. 40.

BOARD OF ALDERMEN,

NOVEMBER 27, 1837.

Report of the Committee on Assessments, in favor of confirming the Assessment for regulating and paving Chapel and intersecting streets. Laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Assessments, to whom was referred the accompanying remonstrance against confirming the assessment for regulating and paving Chapel street and the streets intersecting the same, respectfully

REPORT:

That Chapel street has been widened between Murray and Leonard streets; that, subsequently, resolutions and ordinances were passed by the Common Council to build a sewer therein,

and to elevate the grade of Chapel street, between Reade and Canal streets, about three feet; and so much of the intersecting streets, intermediate, as were afflicted thereby; that in pursuance of these resolutions and ordinances, contracts were made by the Street Commissioner, to carry into effect these improvements. The contract for regulating and paving Chapel and adjoining streets, contemplated the work to be finished in November last. It was not, however, fully completed until the early part of the succeeding summer, and then not in as satisfactory a manner as could have been desired.

The Committee have been attended by a large number of persons on this subject; some of whom object to the confirmation of the assessment, on the ground, that the work has not been well and faithfully done, and within the time limited by the contract. They complain that the pavement has partially settled in many places, between Leonard and Canal streets; occasioned, as they believe, by improper filling: that the bridge stone are unusually rough; and that, in consequence of delay in the filling, they were, in some instances, obliged to fill in their own sidewalks to get access to their premises. Mr. Lockwood, who owns several houses situate on Chapel, North Moore and Varick streets, also complains, that the work, being left in an unfinished state during the winter, exposed his premises, so that his cellars were partially filled with water, and he was deprived of their use.

The greater number of persons, who oppose the assessment, state, that their object in opposing the same is, not to prevent the contractor from being paid for the work, but to shield themselves from the expense which, they contend, ought to be borne by the Corporation; they having been already heavily assessed for widening the street, and for building the sewer; improvements which the public were greatly interested in and benefited by, and which were effected without cost to the city, and in opposition to the wish of some of them.

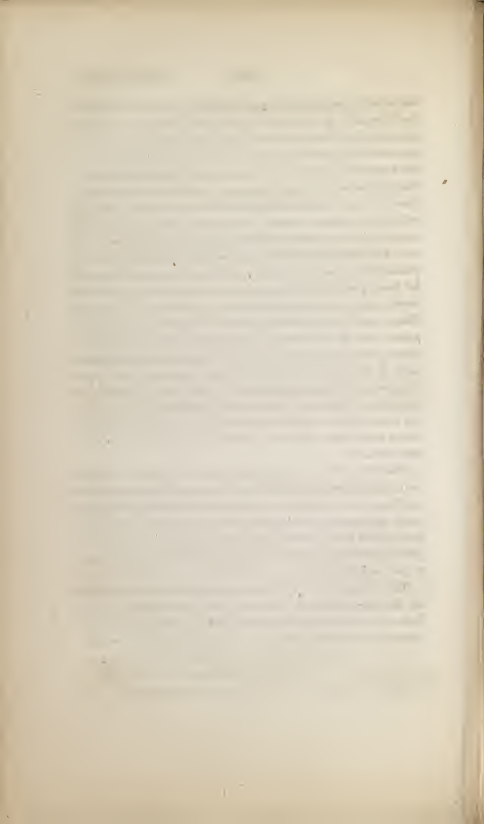
The Committee consider that the question referred to them is, as to the manner in which the contract has been performed,

and whether or not the contractor is fairly entitled to be paid for his work. It was stated by Mr. Mc Kibbon, jun., that a portion of the filling was done previous to his being placed on the street as Inspector; that the filling done by Mr. Pettigrew, the contractor, under his superintendence, was good and wholesome; that earth of an improper character was frequently placed on the street, during the night, by cartmen unknown, which was always carted off by the contractor at his own cost; that the materials used for paving were of a good quality, and were placed down according to contract; that the partial settling of the pavement in some places, was occasioned by being paved immediately over the new filling; and that the work was, under the circumstances, well done. Alderman Banks stated that he was upon the work daily, during its progress; that the contractors were imposed upon by individuals placing improper earth in the streets during the night; which they, in the instances noticed by him, removed at their own expense; that the contractors were probably delayed by the difficulty of obtaining earth, and by buildings remaining in the street, which ought to have been removed; and that the filling was, under all the circumstances, as good as could have been expected.

The present Superintendent of Paving informed the Committee that there were ridges in the pavement in front of the houses on Chapel street; and, in some places, it was sunken; occasioned, as he supposed, by drains being placed across the street, which he required to be altered previous to giving a certificate approving the work, although it might not strictly have belonged to the contractor to do it.

The Committee have fully considered this subject, and, under all the circumstances, recommend the assessment to be confirmed. It amounts to about \$34,000, the greater portion of which the contractor has lain out of one year and upwards.

ISAAC L. VARIAN,
EDWARD TAYLOR,
JOSEPH HOXIE.



DOCUMENT NO. 41.

BOARD OF ALDERMEN,

NOVEMBER 27, 1837.

Report of the Committee on Finance, on the petition to purchase Cross street, (lately closed,) between Chambers and Reade streets. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, *Clerk.*

The Committee on Finance, to whom was referred the applications of sundry persons, to purchase that part of Cross street lately closed, between Chambers and Reade streets, respectfully

REPORT:

That the land applied for forms that part of Cross street that has been closed, and has been awarded to the City.

The petitioners are desirous of having the same sold to them, on such terms as the Common Council shall think proper. Your Committee are of opinion that it would greatly improve the adjoining property, to obtain the portions of this street adjoining them; but, at the same time, do not think that the same should be sold at less than its fair value. This they have estimated at \$38,500, and have had the same apportioned by two of the Commissioners who made the assessment for closing the street, and they recommend that the same be sold to the adjoining owners at the rates stated in the schedule hereto annexed. It will be necessary that all the owners shall agree to purchase, otherwise some portions of the street might remain unsold, and would be of no value to the public after the front was sold.

Your Committee beg leave to present the following resolutions for consideration :

Resolved, That the piece of land formerly called Cross street, between Chambers and Reade streets, which has been closed, be sold to the Manhattan Company, to the estate of George Lorillard, to George Bruce, to John G. Wendle, and to the estate of George Janeway, or to such other persons as they may appoint, in such portions adjoining the lots owned by them, as laid out and designated by the black lines on the map which accompanies this report, and at the sums specified in the schedule hereto annexed; the purchase money to be paid within thirty days from the adoption of this resolution, and the expense of the deeds to be paid by the purchasers; provided, however, that all the said parties respectively shall, within fifteen days after the adoption of this resolution, file with the Comptroller their written consent to purchase the same on the foregoing terms.

Resolved, That in case any of the parties referred to in the foregoing resolution, shall refuse to purchase said pieces on the terms before mentioned, the Comptroller may, under the di-

rection of the Finance Committees of both Boards, sell such portions as shall not be so purchased, to such other person as the Committee shall direct.

Respectfully submitted.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

Estimated value of lots between Chambers and Reade streets, being that part of Cross street which is closed, divided as per black lines on the map herewith presented.

No. 1	\$7,526 20
2	2,607 00
3	2,596 00
4	2,580 60
5	3,940 20
6	19,250 00
	<hr/>
	\$38,500 00



DOCUMENT NO. 42.

BOARD OF ALDERMEN,

NOVEMBER 27, 1837.

The following report was received from the Special Justices of the City of New York, in pursuance of a resolution of this Board, passed September 25, 1837, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

To the Honorable the Board of Aldermen of the City of New York:

The undersigned, Special Justices for preserving the peace in the City of New York, in pursuance of a resolution passed by your honorable body, September 25th, 1837, requesting "the Police Magistrates to report to this Board the number of cases that have come under their cognizance, the number that

they have disposed of, the number now under bail, and the number sent to the Court of Sessions, within the year ending first of September last," respectfully

REPORT:

That there have been received and acted upon, at the several Police Offices of this City, during the year commencing on the first day of September, 1836, and terminating on the first day of September, 1837, 18,956 complaints; of which number 4,402 were sent to the Court of General Sessions, and 1,089 to the Special Sessions.

It further appears from the schedule annexed, furnished by Henry Vandervoort, Esq., Deputy Clerk of those Courts, that 3,346 cases remained unacted upon.

The Special Justices would also call the attention of your honorable body to the increased number of complaints. In the year 1834, there were 14,548. In 1835, 15,588; giving an increase of only 1,040; while the year above stated gives an increase over 1835 of 3,368.

The foregoing comprises all the information required by the resolution, which it is in the power of the magistrates to furnish. And is respectfully submitted.

J. HOPSON,
O. M. LOWNDS,
JOHN M. BLOODGOOD,
JAMES PALMER.

Court of General Sessions of the Peace.													Court of Special Sessions.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
Complaints returned, whole number.													No. of Indictments.			No. of complaints dismissed by the Grand Jury.			No. of complaints settled before indictment.			Discharged by nolle prosequi, before indictment.			No. of complaints undisposed of.			No. of recognizances to answer.			No. of trials.			No. of trials and complaints disposed of by trial.			No. of complaints, defendants discharged.			Whole No. of complaints for the term.			Whole No. of persons disposed of by the Court of Special Sessions.			Whole No. of complaints returned for both Courts, each term.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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8	1877	1877
9	1878	1878
10	1879	1879
11	1880	1880
12	1881	1881
13	1882	1882
14	1883	1883
15	1884	1884

DOCUMENT NO. 43.

BOARD OF ALDERMEN,

DECEMBER 4, 1837.

The Committee on Lands and Places, to whom was referred the resolution to inquire into and report upon the expediency of levelling Hamilton square, presented the following report thereon, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

Resolved, That the Committee on Lands and Places inquire into and report upon the expediency of levelling Hamilton square.

The Committee on Lands and Places, to whom was referred the annexed resolution to level Hamilton square,

REPORT:

That the ground between the 3d and 5th avenues, and between 66th and 68th streets, was designated by the Commissioners, on the original plan of the City, as a public square; that in 1836 the Water Commissioners intimated to the Common Council that the ground between 66th and 69th streets, and the 3d and 4th avenues, might be wanted eventually for a reservoir, and requested that the Corporation would apply to the Legislature to have 68th street, from the 3d to the 4th avenue, closed, so that if the necessity occurred, the blocks between the 3d and 4th avenues and 66th and 69th streets might be appropriated for a reservoir. The Committee, to whom that application was referred, agreed with the Commissioners as to the propriety of making that application to the Legislature, thereby including another block in the proposed public square, which was accordingly done, and the said street now stands legally closed. But the Committee did not think proper to recommend that the ground should then be set apart for the Water Commissioners; and your Committee think that the time is far distant when this ground, by any possibility, can be required for a reservoir, if ever. Your Committee further report, that these blocks, between the 3d and 4th avenues, are now belonging to the Corporation, and is the only place to which the military can, with convenience, resort for their annual parades, and has been for some years occupied by them for encampment and parade. Your Committee believe that whether this ground be eventually taken for the reservoir, or that it become an ornament to the city as a public square, sound economy dictates that it should be placed in a permanent position; that the ground should be graded and trees planted; and, to provide for the possibility of its being wanted for water purposes, your Committee believe it advisable to place the grade as high as the ground will allow, without the introduction of any other earth. They offer the following resolution:

Resolved, That that portion of Hamilton square, situated between the 3d and 4th avenues and 66th and 69th streets, be levelled, and a suitable number of trees be placed therein, under the direction of the Street Commissioner, and that three thousand dollars be appropriated therefor.

G. W. BRUEN,
JOHN V. GREENFIELD.



DOCUMENT NO. 44.

BOARD OF ALDERMEN,

JULY 31, 1837.

Report of the Committee on Roads and Canals, on the subject of the regulations of streets and avenues, north of 94th street; which was adopted.

THOMAS BOLTON, Clerk.

The Street Commissioner respectfully reports to the Common Council, a plan for the regulation of the streets and avenues, from 94th to 109th street, and from the Hudson to the East River. In preparing this plan, it has been found necessary to make some alterations in the plan adopted for regulating the streets and avenues north of 108th street, on what is known as Harlaem Plains; the regulation is there made so as to cast the surface water of a large section into an open canal, at about four feet above tide; the canal to extend from the Hudson to the East River; to be sixty feet wide, and of such

depth as to allow the water to flow through and keep it clean. The alteration proposes to elevate the grounds in the vicinity of the proposed canal, to dispense with it, and to substitute therefor a series of sewers, with proper descent, to receive the surface water and conduct it to the river. The undersigned believes the change proposed to be judicious; he considers the project of an open canal, for a city regulation, of doubtful utility, and is apprehensive that independent of the obstruction which it would necessarily present to the avenues where they cross, it would also prove a great nuisance to the neighborhood, when it shall be improved and built upon, from the quantity of filth that would be thrown into it, which no action of the tide flowing through could prevent.

The alterations proposed are distinguished from the plan as now adopted by black lines and figures on the first section of the Harlaem regulations, and by green lines and green figures on the second section. Alterations have been made, from time to time, in the Harlaem regulations; and with a view to render them less complicated, the undersigned has had them condensed into one plan, which he caused to be made for the purpose, upon which the alterations now proposed are marked as above described. The undersigned recommends that the subject be referred to the appropriate Committee for examination, previous to any action being had upon the same by the Common Council.

JOHN EWEN, Jr., Street Commissioner.

The Committee on Roads and Canals, to whom was referred the annexed communication of the Street Commissioner, on the regulations of the avenues and streets from 94th to 109th street, and from the Hudson to the East River, together with alterations proposed on the section north of 109th street, respectfully

REPORT:

That they have considered the plans and alterations submitted by the Street Commissioner, and that they concur in the views expressed by him in his communication on this subject; they believe there is propriety in adopting a system of sewers for the low ground, in that vicinity, instead of the proposed open canal, as now adopted; they believe the sewers will afford a much better regulation than the canal, and at much less expense, without being subject to the same objections. That the expense of the canal would be so great, and the project so extensive, as to prevent its accomplishment for many years, if ever; during which time no permanent improvement could be made.

The regulation by sewers will admit of improvements being made immediately, as the sewers may be built as they are wanted, to the extent required, without difficulty or embarrassment of any kind; the plans have been advertised for objections, and some alterations have been proposed by proprietors of land affected, which meet with the approbation of the Committee and the Street Commissioner, and are designated by red lines on the plan between 94th and 109th streets, and by green lines on the section north of 109th street.

The Committee offer the following resolutions:

Resolved, That the red lines and figures exhibited on the plan presented by the Street Commissioner for the regulations of the streets and avenues, between 94th and 112th streets, and between the Hudson and the East Rivers, be adopted as

the regulations, wherever they occur, and that the black lines and figures be adopted on the other portion of the plan.

Resolved, That the black lines and figures exhibited on the first section of the plan of Harlaem regulations, in the Street Commissioner's office, for regulating the streets and avenues, between 112th and 124th streets, and between the 8th avenue and the Harlaem River, be adopted wherever they occur on the said section, and that the red lines and figures be adopted on the other portions of the section.

Resolved, That the green lines and figures exhibited on the second section of the plan of Harlaem regulations, in the Street Commissioner's office, be adopted wherever they occur on the said section, and that the black lines be adopted on the other portions of the plan.

D. P. INGRAHAM,
R. SMITH,
JOHN V. GREENFIELD.

DOCUMENT NO. 45.

BOARD OF ALDERMEN,

DECEMBER 4, 1837.

*Report of the Committee in favor of changing the name of
Mill street to that of South William street, which was laid
on the table.*

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petition of the owners of property on Mill street, to change the name to that of South William street, respectfully

R E P O R T :

That Mill street was originally a mere alley, connecting with Stone and Broad streets, and wholly unconnected with William street; that said street has been widened and ex-

tended so as to form an extension of William street, and to appearance is a part of the same street. The street has been otherwise extensively improved by the erection of large stores thereon, the proprietors of which are anxious that it should be called South William street.

They state that this name has been unanimously chosen by them ; that it has been already incorporated in their business papers, for obtaining insurance in this country and in Europe ; also in their cards and circulars, which have been sent to the country, the countermanding of which would prove seriously inconvenient to them.

The Committee believe that the name proposed, under all the circumstances, is the most suitable that can be adopted ; as it will sufficiently indicate its connection with William street, without in any manner interfering with it, or causing an alteration to be made in the numbers ; while the usual objection that a change in the name of a street may give rise to inconvenience, in tracing the titles of property, cannot apply, the street having undergone such entire change as to extinguish the original description of property, and as to require renumbering at least to be necessary. The Committee therefore offer the following resolution :

Resolved, That that portion of Mill street, in a direct line between William and Broad streets, be changed to that of South William street.

C. DE FOREST,
NEHEMIAH WATERBURY,
JACOB ACKER.

DOCUMENT NO. 46.

BOARD OF ALDERMEN,

DECEMBER 4, 1837.

The Finance Committee, to whom was referred the petition of L. P. Luze to have certain monies paid into the City Treasury refunded to him, presented the following report thereon, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, Clerk.

The Finance Committee, to whom was referred the annexed petition of L. P. de Luze & Co., respectfully

REPORT:

That sometime in or about the year 1831, one Richard Burke, a native of France, died in New York intestate, and

his estate and effects were administered by the Public Administrator; and upon the settlement thereof, a balance of \$166 64 was paid into the Public Treasury. The petitioners state, under oath, that the said deceased left relatives, &c., next of kin, residing in France, who all of them, excepting Madame Dutan, executed and delivered to her an assignment and transfer of all their right and interest in said estate; that the said Madame Dutan sent to them the said original assignment, and a Power of Attorney, to collect and receive the said balance of Burke's estate; that the said papers, assignment, and Power of Attorney, were placed by the petitioners in the hands of Eber Wheaton, Esquire, for the purpose of making an application for the money, which the said Wheaton undertook to do; and that the papers have been mislaid or lost.

M. de Luze also states, under oath, that he read the papers referred to, that they were in the French language, and that their contents and purport were as above stated, and executed and duly attested by a Notary, in the form such papers and powers are usually attested in France.

These circumstances do not furnish strict legal evidence of the right of the party in whose behalf this claim is made, and your Committee are aware of the importance of establishing no precedent that shall introduce any looseness of practice in paying out the money received into the City Treasury in such cases; but the peculiar circumstances of this case, in the loss of the papers, and the absence of all doubt, on the part of your Committee, of the fairness of the application, induce them to regard it as a claim that may be paid, upon the claimants giving the Corporation a full and satisfactory indemnity.

Your Committee therefore respectfully recommend the following resolution:

Resolved, That the Comptroller draw his warrant in favor

of L. P. de Luze, for one hundred and sixty-six dollars and sixty-four cents, upon receiving from him such a bond of indemnity as shall be approved by the Comptroller and the Counsel of the Board.

EDWARD TAYLOR,

D. P. INGRAHAM,

C. DE FOREST.

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DOCUMENT NO. 47.

BOARD OF ALDERMEN,

DECEMBER 18, 1837.

Report of the Committee on Police, &c., on a resolution as to the expediency of investigating the causes of fires. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

Resolved, That it be referred to a Committee of the Board to inquire into the expediency of investigating, in a suitable and effective manner, the cause and origin of all fires occurring in the City of New York; and if, in their opinion, the same shall be proper, to report on the means by which it may be carried into operation.

The Committee on Police, &c., to whom was referred a resolution for inquiring into the expediency of investigating the causes and origin of fires in the City of New York, &c., &c.,

REPORT:

That they consider the subject so committed to them as one of most peculiar interest and importance to all our citizens. The frequency of fires in this city, and the vast amount of property destroyed by them, is alarming in every point of view. It is a fact it is believed not susceptible of contradiction, that a greater number of fires occur here than in any other city of the Union. The result is, that the Philadelphia offices will take no risks here at all; while other Insurance Companies who continue to do so, do it only at the most exorbitant premium compared with their own domestic rates. The London Assurance Companies charge five times as much on buildings in this city, as they do on their own at home. The deep injury which commerce and private individuals sustain by this state of things requires no comment from your Committee. The rates of insurance are increased, and even the sound competition of Insurance Companies, to a certain extent, destroyed.

Your Committee have been obliged to propound to themselves the question—Why should fires occur so much more frequently here than elsewhere? and they have been unable satisfactorily to answer it. All fires must proceed, either from some defect in the construction of the building; from an improper mode of heating and lighting them; from negligence; from gross improvidence; from those contingencies of spontaneous combustion, believed by your Committee to be much rarer than is generally supposed, or finally from premeditated design. If there be in this community a greater ignorance of the proper construction, and heating and lighting our buildings than elsewhere, or more crime, or more carelessness, it is proper that the fact be ascertained. By investigating calmly and promptly the character and circumstances of each fire, we shall ultimately reach a true knowledge of the cause; and when the cause is ascertained, your Committee believe that

great progress will have been made in the application of the remedy so imperatively demanded, against this constant recurrence of fires.

It is well known to this Board, that after the great fire in 1835, a general Committee of Citizens was appointed at a public meeting, to consider various matters connected with that terrible event. The result of their deliberations was communicated to the Board of Assistant Aldermen, Dec. 28, 1835, by his Honor the late Mayor. In that document will be found a resolution, praying the Common Council to take the necessary steps to cause an inquiry into the causes of fires, &c. That subject was referred to a Committee, but it is believed no action was ever had on the subject. Our citizens, as your Committee believe, are as anxious now as they were then, for a legalized inquiry into the origin of fires; a conclusion they had come to after patient investigation, as being the surest preventive against their future frequent occurrence. Your Committee, after an examination of various persons, and all the consideration which they have been able to give to this interesting subject, have come to the same result.

Your Committee think that with these views, this Common Council ought to appoint one or more Commissioners of Fires, for the general purposes abovementioned, with power to summon witnesses and enforce their attendance and testimony, in a way analogous to the mode of the Coroner in holding his inquests. Whether this investigation should be had by the intervention of a Jury or not, is a question which the Committee leave to the wiser decision of the Board; but it may be remarked, that the duties of Jurors in this City are already very onerous, and perhaps the duties of this investigation might be safely confided to three discreet citizens.

Your Committee have reason to believe that the appointment of such Commissioners would be no charge on the Public Treasury, but that our Insurance Companies would be induced, in consideration of the important benefits they would

derive from the institution of such Commissioners, to pay the expenses thereof.

Your Committee offer the following resolutions :

Resolved, If the Board of Assistant Aldermen concur, that an application be made in due form to the Legislature of this State, for power to nominate one or more Commissioners to investigate the causes of fires, with power to summon witnesses in that behalf before them, and to compel them to attend and testify. That the said Commissioners shall keep a record of their proceedings and evidence in each case, and file the same with the Clerk of the City and County of New York.

Resolved, That the said appointment or appointments shall not be made till such number of the Insurance Companies of this City, as may be satisfactory to the Corporation, shall file their agreement and consent in the office of the Clerk of the Common Council, to bear, pay and sustain all the expenses consequent upon the passage of any law touching the premises and the maintenance of said Commissioners in the performance of their duties.

M. C. PATERSON,
C. DE FOREST.

DOCUMENT NO. 48.

BOARD OF ALDERMEN,

DECEMBER 18, 1837.

Report of the Committee on Assessments, in favor of confirming the assessment for filling the low grounds, between 108th and 124th streets, and between the 5th and 8th avenues. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Assessments, to whom was referred the annexed assessment for filling low grounds, between 110th and 111th streets, and between the 7th and 8th avenues, together with a remonstrance against the same, respectfully

REPORT:

That in pursuance of a resolution and ordinance passed by the Common Council, in March 1836, contracts were made by .

the Street Commissioner to fill in low or marshy grounds, as described in the ordinance, lying between 108th and 124th streets, and between the 5th and 8th avenues, in which were included the filling embraced by the assessment. The filling, as will be seen by the maps attached to the assessment, comprises about thirty lots, within which was contained a pond, occupying about six lots, which received the greater proportion of the filling. The number of loads filled is 28,932, amounting to \$2,972 10. The objections are from the executors of the estate of Valentine Nutter, who contend, that although the ground filled is within the limits described in the ordinance, it was not the ground intended to be filled by the report upon which the resolution and ordinance were founded; that the report had special reference to the meadow marsh, on the line of the Harlaem Canal, which it stated was about the level of high water; and that consequently it could not have been supposed to apply to the land of the estate which is about nineteen feet above high water; and that although the resolution and ordinance was so drawn as to probably lead the Street Commissioner into error, yet that such error ought not to prove their misfortune. They also state that they called at the Street Commissioner's office to inquire the object of this ordinance, and was there informed that it had reference only to the creek along the canal; and, that being thus unintentionally misled, they had no knowledge of the work until the time when they remonstrated, which was by accident, and that they therefore had it not in their power to offer a more seasonable remonstrance.

The Committee remark, that if such information was obtained, it must have been prior to the time of the present Street Commissioner, as he states that no such information was given by him; that he never saw the report on this subject until since the ground has been filled, it having been made, and the ordinance having been passed, before he came into office, and that he was not aware of any objections being made until the work was nearly completed.

The Committee have had several deliberations upon this subject, and have been attended by the remonstrants, and they are constrained to say that the case is a hard one for the estate; they are, however, decidedly of opinion that the grounds in question are embraced by the ordinance and resolution, which without reference to the reports, to which they are attached, are in all cases intended as guides to executive officers, in making their contracts; and that, although the report refers particularly to the marsh along the line of the canal, they cannot presume, from that circumstance, to say that it was not the intention of the Committee who made the report, to include the ground under consideration, which, though not the low or marshy ground alluded to in the report, is nevertheless low ground in comparison with the ground adjacent, and was of a marshy character. Your Committee have therefore come to the conclusion that as the ground was filled, in pursuance of a resolution and ordinance of the Common Council, which embraced it, and which, without reference to the report, are considered as fully expressing the intentions of the Common Council, in the matters to which they relate, that the assessment ought to be confirmed, and they recommend its confirmation accordingly, and offer the following resolution:

Resolved, That the assessment for filling the low ground, between 110th and 111th streets, contained in the assessment list be confirmed, and that C. S. Van Winkle be appointed Collector.

ISAAC L. VARIAN,
EDWARD TAYLOR.

DOCUMENT NO. 49.

BOARD OF ALDERMEN,

JANUARY 3, 1838.

Report of the Street Commissioner, on the subject of pavements. Laid on the table, and ordered to be printed for the use of the members.

THOMAS BOLTON, *Clerk.*

Resolved, That the Street Commissioner report, with all convenient speed, to this Board, the result of the experiment in this city, of wooden pavements, so far as he can ascertain the same; the comparative cost and duration of the same, with the ordinary pavement; and the relative amount of repairs to each required in any given number of years, together with his opinion in regard to the policy of this Corporation putting down stone or wooden pavements.

The Street Commissioner, to whom was referred the an-

nexed resolution to report the result of the experiment of wooden pavement in this city, so far as the same can be ascertained; the comparative cost and duration of the same, compared with the ordinary pavement, and the relative amount of repairs to each, required in any given number of years, together with his opinion in regard to the policy of the Corporation putting down stone or wooden pavements, respectfully

REPORTS:

That he responded to a similar resolution of the Board of Assistants, of March last; on which occasion he stated his inability, so far as the experiment had disclosed, to determine the length of time that the wooden pavement would endure, or continue to present an even surface, believing that time alone would determine it; but gave, as his opinion, that the wooden pavement in Broadway would, with slight repairs, continue to last six years, without requiring to be renewed. Subsequent observation has not induced the undersigned to change his opinion.

Upon an examination of the wooden pavement in Broadway, it was found that a partial settling of individual blocks had taken place in various parts of the pavement, which was ascertained to be caused by the decayed state of the blocks from dry rot, apparently previous to their being placed in the ground, and not from a want of firmness in the foundation. The adjoining blocks, although placed down about eighteen months previous were sound.

The undersigned finds it equally impossible to state the expense of repairing the wooden pavement in any given time, being as yet unacquainted with the extent of repairs that may be required. The quality of the material, and the degree of travelling in the streets in which the same may be placed, also rendering the matter contingent. The durability of wooden pavement, compared with stone, depends upon the circum-

stance of situation. In a great thoroughfare like Broadway, the latter will become broken and irregular, in the course of two seasons, from the immensity of travelling upon it; while the former may preserve an even surface for several years. But in retired streets, where there is not much travelling, if the pavement be not broken to insert water or gas pipes, or lateral pipes to the dwellings, stone pavement ought to continue good, if well paved, for twenty or thirty years; when the wooden pavement would probably decay in about ten years, or be rendered useless. The comparative cost of the wooden pavement, compared with stone pavement, is as three to one. The undersigned is therefore of opinion, that it is the best policy to continue the use of the ordinary stone pavement for general purposes. But he is of opinion, that the wooden pavement may, in many situations, be employed to great advantage, where the extent of travel causes frequent repairs in the ordinary pavement, and where the value of the property to be assessed, either for business or residences, is such as to render the additional cost of the pavement of but little importance, compared with that of the advantages derivable from it; the principal of which would be found in the relief from the noise which stone pavement occasions in popular streets, to the annoyance of those residing or transacting business therein. These situations will, at proper times, be sufficiently indicated by the owners of property, who will call for this kind of pavement, and be willing to incur its expense, if they deem it to their advantage.

The undersigned considers the wood pavement, while it continues to present an even surface, the most pleasant and satisfactory that can be adopted; its limited duration, however, and great cost, will preclude and render inexpedient its general introduction as a pavement in the streets of our city.

JOHN EWEN, Jun., *Street Commissioner.*



DOCUMENT NO. 50.

BOARD OF ALDERMEN,

JANUARY 3, 1838.

Report of the Committee on Finance, on the Law making appropriations for the year 1838. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

COMPTROLLER'S OFFICE,

New York, December 21, 1837.

To the Common Council of the City of New York:

The undersigned respectfully reports the annual appropriation bill, for 1838.

And, as in duty bound, asks the Common Council to pass the same. Respectfully submitted.

D. D. WILLIAMSON, *Comptroller.*

The Committee on Finance, to whom was referred the report of the Comptroller, together with a law making appropriations for the year 1838, respectfully

R E P O R T :

That they have carefully examined the same, and compared them with the payments made from the Comptroller's office, for the year 1837.

They are of opinion that the appropriation bill, as presented, contains the necessary appropriations for the year, and therefore recommend that the same be passed by the Common Council. Respectfully submitted.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

A LAW

Making appropriations for the year 1838.

Be it ordained by the Common Council of the City of New York, that, to defray the expenses of the City and County of New York, for the year one thousand eight hundred and thirty-eight, the following sums be, and the same are hereby appropriated for the payment, under the heads of accounts herein respectively named :

Alms House, Bridewell, and Penitentiary .	\$280,000
Bonds payable	600,000
Board of Health	14,000
Cleaning docks and slips	15,000
County contingencies	50,000
Commutation of alien passengers	100
Courts	38,000
Coroner's fees and expenses	5,000
Charities	7,500
Cleaning streets	150,000
Carried over, .	<u>\$1,159,600</u>

	Brought over,	\$1,159,600
Charges on arrears of taxes and assessments		3,000
Docks and slips		212,000
Elections		7,500
Fire Department		60,000
House of Refuge		4,000
Intestate estates		2,000
Interest		70,000
Justices' Courts		16,000
Lands and places		12,500
Lamps and gas		125,000
Liens on lots		7,500
Levying tax		12,000
Markets		70,000
Mayoralty fees		150
Public reservoir		4,500
Public schools		90,000
Police		35,000
Penalties		3,000
Printing and stationery		25,000
Roads and avenues, working, &c.		60,000
Repairs and supplies		30,000
Salaries		60,000
Streets opening, &c.		400,000
Street expenses		50,000
Tavern and excise licenses		1,500
Watch		260,000
Wells and pumps		9,000
		<u>\$2,789,250</u>

DOCUMENT NO. 51.

BOARD OF ALDERMEN,

JANUARY 3, 1838.

Report of the Committee on Finance, on the petition of Crooke & Fowkes, for a reduction of rent on lease for district No. 5, Corporation Wharves. Adopted.

THOMAS BOLTON, Clerk.

The Committee on Finance, to whom was referred the annexed petition of Crooke & Fowkes, for a reduction of rent for district No. 5, Corporation wharves, respectfully

REPORT:

That the petitioners became the purchasers of district No. 5, Corporation wharves, for one year from 1st May, 1837, at the rent of \$7,600, being \$500 more than the preceding year, and they now ask a reduction of the rent for two reasons:

1st. That permission has been given to erect a crane at the Albany basin, which interferes with their rights to the amount of \$400, and

2d. That a float for fish cars, for the Washington Market, has been placed in the dock, at the foot of Fulton street, since the taking of their lease.

Your Committee have examined into these matters, and find the facts to be as follows :

In March, 1835, a petition was presented to the Common Council, for leave to erect a crane on one of the wharves in the first ward, in order to land the marble for the Custom House, which was referred, by both Boards, to the Alderman and Assistant Alderman of the first ward, and Street Commissioner, with power.

In 1836 permission was granted by those officers to Master-ton & Smith to erect such a crane at Albany basin, a copy of which permission is hereto annexed, upon condition that they should pay the lessees of the district, for that year, such sum as they should claim for consenting thereto. By an arrangement with the lessees, for \$400 paid to them by Master-ton & Smith, they gave the necessary consent, and the crane was erected, a copy of which consent is hereto annexed. The same persons became the lessees for the present year, knowing that the crane was there, but, as they allege, under the supposition that they could charge the same price for the permission for the present year. No such privilege was reserved in the lease, nor was any intimation given of any right to charge for the same. And knowing of the permission which had been given by the Alderman of the 1st ward, and Street Commissioner, and that the crane was then used for the same purposes, they must be considered as purchasing with a full knowledge of all the circumstances. It appears from the statement of one of the lessees, that they have not charged wharfage to any of the vessels bringing stone for these persons ; but your Committee think they have mistaken their rights, and that they are entitled to recover wharfage from all the vessels which have landed stone at this place. There is nothing in the permission which gives these vessels any rights

differing at all from others, but they are bound to pay wharfage, and are subject to the same regulations as other vessels coming to this wharf. Your Committee are also of opinion that Masterton & Smith, from the permission given to them, as aforesaid, are entitled to use the crane erected by them at Albany basin, free from any further charge, as long as the same is required for the purposes of the Custom House, unless the privilege given should sooner be revoked by the Common Council; and after due consideration of this matter, do not think the petitioners are legally entitled to any deduction on this account.

In regard to the 2d ground on which a reduction is claimed, they find, on examination, that previous to this year it has been customary to keep the fish cars about the slip, without any float, and in such a manner as by moving them about they could be so placed as not to interfere with a vessel lying in the slip. No notice was given of any alteration at the time of sale, and after the petitioners had taken their lease, although previously ordered by the Common Council, this float was placed in the slip, and, as the lessees allege, injuring them six or eight hundred dollars. They state that it destroys several berths for vessels, but others with whom your Committee have conversed, state only a berth for one vessel is occupied by it. Your Committee are satisfied that the lessees are entitled to reduction on this account from their rent, but they do not think to as large an amount as is claimed by them.

With a view of settling the whole matter, and as the petitioners have stated that they were mistaken as to the rights of Masterton & Smith, in the permission to erect a crane, which is sworn to by one of the lessees, and the affidavit hereto annexed, your Committee recommend a reduction in the rent of \$600, and offer the following resolution:

Resolved, That the rent of district No. 5, of Corporation wharves, under the lease thereof to Crooke & Fowkes, for

the present year be reduced \$600, in full satisfaction of all claims made by them as stated in their petition, provided they shall signify their assent hereto in writing to the Comptroller, within ten days after notice of the passage of this resolution.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

DOCUMENT NO. 52.

BOARD OF ALDERMEN,

JANUARY 3, 1838.

Report of the Committee on Finance, on the report of the Comptroller, with an estimate for the year 1838. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Finance Committee, to whom was referred the report of the Comptroller, with an estimate of the nett receipts and expenditures, for the year 1838, respectfully

REPORT:

That the annexed report has been made by the Comptroller, for the purpose of enabling the Common Council to determine the amount it will be necessary to raise by tax, for the expenses of the city for the year 1838; also that application be made to the Legislature for the necessary law.

From the estimate made by the Comptroller, the probable expenditures for the year, will be \$1,539,430, and the receipts \$214,000, leaving a deficiency of \$1,325,430, to be raised by tax.

Your Committee have carefully examined the items on which this estimate is founded, and they believe the same to be correct.

They are of opinion that the amount to be raised by tax, for the year 1838, should be \$1,300,000, and they offer the following resolution :

Resolved, That the Counsel prepare the necessary law, to enable the Corporation to raise the sum of \$1,300,000 by tax, and that the same be forwarded to the Legislature, with a proper memorial for the passage thereof.

Respectfully submitted.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

Estimated Expenditures for the year 1838.

Alms House,	. . . .	\$265,000
Board of Health,	. . . .	14,000
Charities,	. . . .	7,500
Cleaning docks and slips,	. . . .	15,000
Coroner's fees,	. . . .	5,000
Cleaning streets,	. . . .	103,000
Courts,	. . . .	35,000
Docks and slips,	. . . .	165,000
Elections,	. . . .	7,500
Fire Department,	. . . .	60,000
Interest,	. . . .	70,000
Justices' Courts,	. . . .	5,000
Lamps and gas,	. . . .	120,000
Lands and places,	. . . .	25,000
Markets,	. . . .	70,000
Penalties,	. . . .	2,500
Police,	. . . .	20,000
Printing and stationery,	. . . .	25,000
Public reservoir and tank,	. . . .	32,500
Public schools,	. . . .	1,430
Repairs and supplies,	. . . .	30,000
Roads and avenues,	. . . .	45,000
Streets opening,	. . . .	40,000
Street expenses,	. . . .	50,000
Salaries,	. . . .	60,000
Watch,	. . . .	260,000
Wells and pumps,	. . . .	6,000

\$1,539,430

Estimated Receipts for the year 1838.

Commutation of alien passengers,	.	\$35,000
Intestate estates,	. . . .	4,000
Mayoralty fees,	. . . .	2,000
Tavern and excise licenses,	. .	28,000
Rents,	. . . . .	110,000
Arrcars of Taxes,	. . . .	25,000
Auction fees,	. . . . .	10,000
		<hr/>
		\$214,000
		<hr/>

Expenditures,	.	\$1,539,430
Receipts,	. .	214,000

\$1,325,430

DOCUMENT NO. 53.

BOARD OF ALDERMEN,

JANUARY 15, 1838.

Report of the Joint Select Committee on the memorial of Dominick T. Blake, Esq., relative to his digest of Criminal Law for the City and State of New York. Adopted.

THOMAS BOLTON, Clerk.

The Select Committee, to whom was referred the annexed communication and memorial of Dominick T. Blake, relative to a Digest of Criminal Law of the City and State of New York, prepared by him, respectfully

REPORT:

That the petitioner states that he has completed the said Digest, and that the same is ready for publication, but that the petitioner is unable to publish the same, owing to the difficulty of raising funds therefor at the present time, and proposes to

apply to the Legislature of this State for aid, by subscribing for a number of copies thereof.

It appears that in the year 1834, the Common Council of this City encouraged Mr. Blake to proceed in this undertaking, by agreeing to take from him one hundred copies of this work, when finished, at ten dollars per copy, and directed the amount thereof to be paid to him as the work progressed. At this time it was supposed the work could be comprised in one volume of about 700 pages.

This money has, from time to time, been paid him, on the certificate of Chancellor Kent and the Recorder, and the Digest is now submitted to the Common Council for their approbation. This, when printed, will, it is supposed, contain nearly 1400 pages, forming two volumes instead of one, as originally contemplated.

It cannot be supposed that a Committee of the Common Council, if they considered themselves competent, could, amidst the many duties daily devolving upon them, undertake to examine and decide upon the merits of a work on Criminal Law, consisting of two large volumes in manuscript. They can only speak of the plan of the work, and their opinions must be formed from the judgment of the several distinguished jurists who have examined it in detail, and who have expressed their views of it in the letters, copies of which are annexed to the memorial.

In this Digest, the author has treated both of the elementary principles of the Criminal Law, and of the pleadings and practice connected therewith, as well as of many other subjects relating thereto; as is more particularly enumerated in the accompanying papers. Of the usefulness and importance of such a work, your Committee think there can be no doubt. Not only this City and State, but all the States in this Union, are more or less interested in its publication, as there is no work of the kind published in this country; and if it is properly executed, it must become a valuable book of reference in criminal proceedings.

Your Committee have been attended by the Recorder and Mr. Blake, and have been furnished with certificates from Chancellor Kent and Chief Justice Jones on this subject, approving of the same, copies of which are annexed; and from these papers and the statements of the Recorder, they feel satisfied that this work has been prepared with a great deal of care and diligence, and is worthy of public patronage, and they hope that the Legislature of this State will give aid to the author, as to enable him speedily to complete the publication thereof.

They offer for the adoption of the Commoun Council the following resolution :

Resolved, That from the evidence submitted to the Common Council in the certificates of several distinguished jurists of this City, who have examined the same, as well as from the general plan of the work lately prepared by Dominick T. Blake, Esq., entitled "A Digest of the elementary principles and practice of the Criminal Law of the City and State of New York," under the sanction of the Common Council of the City of New York, they are satisfied that the work has been faithfully prepared with much care and labor, and they cheerfully recommend the same to the patronage of the Legislature.

D. P. INGRAHAM,
M. C. PATERSON,
WM. WELLER HOLLY,
EDWARD TAYLOR.

DOCUMENT NO. 54.

BOARD OF ALDERMEN,

JANUARY 15, 1838.

Report of the Committee on Police, Watch and Prisons, on the resolution to divide the First Watch District. Laid on the table and directed to be printed.

THOMAS BOLTON, Clerk.

The Committee on Police, Watch, &c. of both Boards, to whom was referred the resolution to divide the First Watch District, and to increase the Watch, respectfully

R E P O R T :

That they have carefully examined the subject referred to them, and find, that it is contemplated soon to remove the pre-

sent location of the First District Watch House, and the Police and Sessions Courts, to the Halls of Justice, in Centre street; which place will be so near the present boundary line of the district, that your Committee have thought it expedient and proper to extend said boundaries farther north and east.

They therefore recommend that a few posts be taken from the 2d and 3d districts and added to the north and east part of the district hereby divided.

Your Committee are of opinion that the number of posts ought not to be increased—consequently, in extending, dividing, or altering boundaries, they have been careful to preserve the same number of posts, as at present established, and therefore do not propose to increase the number of Watchmen.

Your Committee propose to divide the First, or Lower District, at Fulton street, from East to North River, and would respectfully recommend the passage of the law annexed, and the adoption of the resolution hereto appended.

All of which is respectfully submitted.

M. C. PATERSON,
C. DE FOREST,
MORRIS FRANKLIN,
CALVIN BALIS.

A LAW

*To amend a Law entitled "A Law to amend a Law entitled
a Law to regulate the City Watch."*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows, viz.:

§ 1. The City of New York shall be divided into six Watch Districts, as hereafter provided; and to each of the said districts shall be assigned two Captains and four Assistants, or such further number as the Common Council may, from time to time, by resolution direct.

§ 2. The First District shall comprehend all that part of the city lying south of the middle of Fulton street, from the North to the East River.

§ 3. The Second District shall comprehend all that part of the city, beginning at the East River, at the foot of Catherine street, and running thence through the middle of Catherine street to the foot of the Bowery; up the middle of the Bowery to Rivington street; through the middle of Rivington street to the East River; down the line of the East River to the place of beginning.

§ 4. The Third district shall be composed of all that part of the city, beginning on the North River, at the foot of North Moore street; thence running through the middle of North Moore street to Chapel street; through the middle of Chapel street to Canal street; through the middle of Canal street to Broadway; up through the middle of Broadway to Howard

street; through the middle of Howard street to Centre street; through the middle of Centre street to Hester street; through the middle of Hester street to the Bowery; through the middle of the Bowery to Eighth street; through the middle of Eighth street to Greenwich lane; through the middle of Greenwich lane to Christopher street; through the middle of Christopher street to the North River, and down the line of the North River to the place of beginning.

§ 5. The Sixth District shall be composed as follows: Beginning at the North River, and running through the middle of North Moore street to the middle of Chapel street; up the middle of Chapel street to the middle of Canal street; up the middle of Canal street to the middle of Broadway; through the middle of Broadway to the middle of Howard street; through the middle of Howard street to Centre street; through the middle of Centre street to Hester street; through the middle of Hester street to the Bowery; through the middle of the Bowery to Catherine street; through the middle of Catherine street to the East River; down the line of the East River to Fulton street; through the middle of Fulton street to the North River, and up the line of the North River to the place of beginning. And the returns and the prisoners from said district shall be made and conveyed to the Lower Police Office.

§ 6. The Fourth and Fifth Districts shall continue to comprehend all those parts of the city now described as the Fourth and Fifth Watch Districts.

§ 7. So much of said law as is inconsistent with the provisions herein made, is hereby repealed.

Resolved, If the Board of Assistant Aldermen concur, That it be referred to the Committee on Police, Watch, and Prisons, to designate and determine which Watchmen shall be transferred from one district to another, in conformity to the law hereunto annexed.

SEMI-ANNUAL REPORT

OF THE

WATER COMMISSIONERS.

• From the 1st of July to 30th December, 1837, inclusive.

DOCUMENT NO. 55.

PRINTED BY ORDER OF THE COMMON COUNCIL.

1838.



BOARD OF ALDERMEN,

JANUARY 4, 1838.

The Water Commissioners presented their Semi-Annual Report, from the 1st of July to the 30th of December, 1837, inclusive; which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

To the Honorable the Common Council of the City of New York.

In accordance with the provisions of the Act of the 2d May, 1834, and of the Act of the 5th of May, 1837, the Water Commissioners respectfully

REPORT:

That they have presented to the Comptroller an account current, showing the receipts and disbursements of the Com-

missioners, from the first day of July last, to the 31st day of December, inclusive, which has been compared with the books kept by the Comptroller, and found correct.

The total amount expended from the commencement of the operations under the "Act to provide for supplying the City of New York with pure and wholesome water," is as follows:

From July, 1835, to January, 1836	.	\$31,828 02
" January, 1836, to July, 1836	.	12,070 84
" July, 1836, to January, 1837	.	28,099 58
" January, 1837, to July, 1837	.	62,602 85
" July, 1837, to January, 1838	.	233,856 93
		<hr/>
Total amount disbursed to last date	.	368,458 22
Balance in hands of the Commissioners	.	5,124 45
		<hr/>
Grand total of requisitions on the Comptroller		\$373,582 67

The following is a synopsis of the sums disbursed by the Commissioners from the first of July to the thirty-first of December, 1837, inclusive, presenting a condensed view of the several objects for which the money has been paid; but rendered more in detail by our account current, presented to the Comptroller:

Paid for land, embankment, office lot, and right of way	\$47,419 74
Paid the contractors on the aqueduct	169,152 00
Paid salaries to Commissioners	2,750 00
Paid salaries to Engineers, and for the inci- dental expenses of the corps	11,382 07
Paid for advertising, printing and stationery	325 54
Paid for incidental expenses of Commission- ers, and salary of their Clerk	693 58
Paid for Chancery expenses and searches in the titles of lands for the aqueduct	2,134 00
	<hr/>
	\$233,856 93

In our report to your honorable body of the 3d of July last, we stated that offers to contract had been received on the 26th of April, 1837, for the whole of the sections on the first division of the aqueduct, including the dam of the Croton Reservoir; but that the state of the monetary concerns of the city and country, induced us to accept of offers for only thirteen sections of the work, amounting in the aggregate to \$921,698, which under the circumstances alluded to, was deemed as large an expenditure as the nature of the case would warrant.

The reasons for thus restricting the contracts, having in a great measure ceased to exist, and the Engineers having completed the plans and specifications of the work on the second division of the aqueduct, the Commissioners, proceeded on the 8th of August last, to give notice, by advertisement in the public papers, and by printed circulars, that proposals would be received until the 5th of September, 1837, at their office in the City of New York, for furnishing the materials and completing twenty-seven sections of the second division, and ten sections of the first division of the Croton Aqueduct.

In the bids made for the work to be performed, in accordance with the aforesaid notice, there was a fair competition among those offering to contract, varying from eight to sixteen in number for each section. The lowest offers accepted were as follows:

FIRST DIVISION.

9th section,	Samuel Roberts	.	.	.	\$69,385
10th do.	do.	.	.	.	49,672
12th do.	Yates and Hollister	.	.	.	53,985
13th do.	do.	.	.	.	59,550
14th do.	Brown and Bivens	.	.	.	67,510
16th do.	Ferrell, Hays and Ellis	.	.	.	56,957
19th do.	George Clark	.	.	.	43,845
21st do.	Delano & Carmichael	.	.	.	45,594
Carried over					446,498

Brought forward	.	.	.	.	\$446,498
22d section, Rutter & Carmichael	.	.	.	.	63,984
23d do. James Appleton	.	.	.	.	74,809
24th do. do.	.	.	.	.	37,279
25th do. S. S. Riddle	.	.	.	.	44,452
26th do. John P. Brayton	.	.	.	.	28,055

SECOND DIVISION.

27th section, John Burrell	.	.	.	.	\$41,006
28th do. George Clark	.	.	.	.	37,447
29th do. James Appleton	.	.	.	.	44,153
30th do. Francis Blair	.	.	.	.	47,025
31st do. do.	.	.	.	.	39,657
32d do. George Law	.	.	.	.	30,855
33d do. do.	.	.	.	.	102,310
34th do. Taylor & Brady	.	.	.	.	40,803
35th do. do.	.	.	.	.	41,449
36th do. Weed & Conklin	.	.	.	.	37,923
37th do. do.	.	.	.	.	53,460
38th do. O. & E. Davison	.	.	.	.	43,435
39th do. do.	.	.	.	.	30,820
40th do. R. W. Estabrook	.	.	.	.	37,932
41st do. Roberts & Lund	.	.	.	.	30,823
42d do. R. W. Estabrook	.	.	.	.	41,352
43d do. Case, Delano & Ward	.	.	.	.	49,278
44th do. S. S. Riddle	.	.	.	.	29,724
45th do. Campbell & Bishop	.	.	.	.	81,126
46th do. E. Learned & Co.	.	.	.	.	31,179
47th do. Banker, Veeder & Clute	.	.	.	.	37,488
48th do. Milligan, Gilbert & Co.	.	.	.	.	43,513
49th do. Ferrell & Ellis	.	.	.	.	50,256
50th do. do.	.	.	.	.	36,908
51st do. Burnham & Lobdell	.	.	.	.	49,611
52d do. James Thomson	.	.	.	.	73,952
53d do. Banker & Co.	.	.	.	.	55,600

Carried over 1,934,162

Brought over	\$1,934,162
The first letting exclusive of the dam was	804,140
The late contract for the dam hereafter explained was	85,389
Making the total amount under contract	<u>\$2,823,691</u>

We beg leave to refer to our last report for an explanation of the method pursued in computing the several prices for which the different descriptions of work are offered to be performed.

It was found, on a further examination of the site selected for the Croton Dam, that it was not so well suited for the purpose as a location about 400 feet further down stream, and it was therefore, on the recommendation of Mr. Jervis, the Chief Engineer, decided to erect the said dam at the latter place, and to abandon the former location. This change of site made it necessary that a change should be made in the structure; the effect of which would be to lessen materially the mason work of the dam, while it increased some other portions of the work, but of a less expensive description. The contractors, urging this change of plan as a reason, proposed abandoning the contract; and although the Commissioners were satisfied, that by the terms of the agreement, the contractors were bound to proceed with the work, notwithstanding the alteration of plan, they nevertheless consented to a new letting of that part of the work, believing there would rather be again than a loss to the public by the operation. Notice was accordingly given, in the usual way, on the 3d of October last, that sealed proposals would be received by the Water Commissioners, until the 6th of November, ensuing, at 3 o'clock, P. M., at their office in the City of New York, for erecting a dam across the Croton River, with other incidental work on that portion of the Croton Aqueduct, embraced in SECTION ONE on the first division of said aqueduct.

In accordance with the foregoing notice, there were seven proposals presented to the Commissioners on the 6th of No-

vember, aforesaid, for constructing the said dam ; the lowest of which amounting to \$85,386, was accepted, and a contract entered into accordingly, with Henry N. B. Crandall and William W. Van Zandt, with the requisite sureties, for the work and materials necessary to the completion of the structure. The original amount of contract for erecting the said dam, at the site selected by Major Douglass was \$117,558 ; making a saving to the city of \$32,169 by the change of location.

The Vice Chancellor of the First Circuit appointed on the 13th of September last, William Jay, Abraham Miller and William Nelson, Esquires, appraisers on the land, commencing at that owned by Jasper Stymets, and extending about sixteen miles south to the land purchased of William Beach Lawrence, Esquire, bounded by the Harlaem River, which includes all the land required for the aqueduct in the County of West Chester, not previously purchased.

Circumstances connected with the domestic concerns of one of the Appraisers, induced him to decline a re-appointment, unless the meeting of his colleagues could be postponed until late in October. The importance of continuing the same gentlemen in office, who had commenced the operations ; the respectability of their character ; their notoriety in the county, perhaps, more so than any other three men, which could be selected for the purpose ; the knowledge they had obtained in the prosecution of the business, and their talents and industry in executing it, was sufficient inducement with the Commissioners to consent to the postponement required. The meeting of the Appraisers was accordingly fixed, and notified for the 23d of October, 1837, at the house of John Bashford, in the village of Yonkers.

It became necessary, however, that the Appraisers, before proceeding to Yonkers, should first assemble at Sing Sing, for the purpose of reviewing a piece of land belonging to James W. Robinson, situated in that village, and which had been reported on by the Appraisers the 8th of November, 1836, and referred back to them, by the Chancellor, for a review of their

report. The land was laid down by Mr. Robinson, on the map of his property, as a street; and both the Commissioners and Appraisers understood him to wish it should be so considered. The law having authorized the passage of the aqueduct through, or under any public street or highway, the Appraisers could only, and did accordingly, allow Mr. Robinson nominal damages for the use of the land. When the report came before the Chancellor for confirmation, it appeared that all the formalities of the law, necessary to constitute the said land a public street, had not been complied with; and Mr. Robinson, objecting to the award of the Appraisers, the Chancellor disallowed the proceedings, and referred the subject back to them for reconsideration.

After reviewing the said piece of land, and hearing testimony as to its value, and the argument of Counsel in elucidation of said testimony, the Appraisers, accompanied by two of the Commissioners, proceeded to Yonkers, and arrived there on the afternoon of the 23d of October aforesaid, and commenced the examinations connected with the objects of their appointment.

The duty of the Appraisers, in ascertaining the damage for the land required, and the permanent injury to be sustained on this part of the line, was much more arduous than any of their previous operations. They, of course, travelled on foot over the whole line, from Dobbs' Ferry, or the Village of Greensburgh, to near the Harlaem River; portions of which ran through a thick growth of wood, on steep side hills; crossing a number of deep ravines, and several streams and brooks, some of which are of considerable magnitude. The number of persons, whose land was required for the works, was fifty-one; and they were invited to point out any particular injury that would be sustained by them, in consequence of passing the aqueduct through their property.

Most of them attended the Appraisers on the route, with their Counsel; and, on the hearing, introduced evidence as to the value of their property, and the anticipated damage they

expected to sustain by the operations of the workmen. In all these cases the argument of Counsel was heard, occupying a portion of each evening; and, in some instances, extending far into the night. It required, therefore, twelve days of steady and unremitting application, before the Appraisers were able to complete the business on which they had assembled. Their report was transcribed and signed on the 4th of November, 1837, and presented to the Chancellor for confirmation.

The quantity of land taken for the aqueduct by this appraisalment, was $93\frac{1}{6}\frac{6}{6}\frac{6}{6}$ acres, for which the owners were awarded the sum of \$60,515; equal, on an average, to \$646 52 per acre. It is but fair to state, however, that the Appraisers have included in the aforesaid sum, not only the value of the land to be occupied by the aqueduct, but also the permanent damage which may be sustained by the owners of the farms through which the aqueduct passes, in consequence of the necessary embankments or excavations which may alter the natural surface of the ground; together with the annoyance to their families and property during the progress of the work.

When we shall be put into possession of this land, is beyond the scan of the Commissioners. The causes of delay have been so numerous in former appraisals, chiefly owing to the wish of the owners to obtain the largest amount for their land practicable, and in part to the increase of business before the Chancellor's Court, that no definite period can be named, upon which reliance ought to be placed, for the final settlement of the questions which arise in the decision of these cases. Instance the following:

The land required of James W. Robinson, already alluded to, was reported to the Chancellor for confirmation on the 8th of November, 1836. It is included in section No. 21, under contract of the 5th of September last, to Delano & Carmichael.

The land belonging to James Knowlton was appraised and reported for confirmation on the 27th of February last, and was referred back to the Appraisers, for reconsideration, on

the 23d of October; having laid no less than eight months in Court, for advisement. This land is included in the contract of J. P. Brayton, for section 26, entered into the 5th of September aforesaid.

Three cases, namely, those of William Beekman, Cornelia Beekman, and Carter & Robinson, upon which argument was heard before the Chancellor, against the appraisal of the 16th of June, 1837, and was referred back, for reconsideration, on the 27th of October, thus having lain more than four months in Court, before this decision was made. The contract entered into with Taylor & Brady, for sections 34 and 35; and with Weed & Conklin, for 36, embraces a part of the land required from William Beekman. The contract with Francis Blair, for sections 30 and 31; and that with George Law, for sections 32 and 33, runs on the land of Cornelia Beekman; and the contract for section 46, with E. Learned & Co., embraces a part of the land of Carter and Robinson.

There are also four cases, those of Messrs. Benedict, Dutcher, Dearman & Stymets, of the same appraisal as the last, which have been postponed from month to month until the 6th of November last, when the objections of the Counsel for the owners of the land, were heard, and the cases finally submitted to the Chancellor for decision. They were subsequently referred back to the Appraisers for re-examination. Our contract with O. & E. Davison, embraces land belonging to Mr. Benedict; that for section 44, to S. S. Riddle, the land of Mr. Dutcher; that for section 45, to Campbell & Bishop, the land of Mr. Dearman; and that of section 47, to Banker, Veeder & Clute, requires a portion of the land belonging to Mr. Stymets. Thus was thirteen sections of the work, embracing several miles of the aqueduct, stopped in its progress; causing great inconvenience to the contractors, who have gone on and erected the necessary buildings, and brought to the ground their teams and tools required for commencing operations; and of unexpected disappointment and embarrassment to the Commissioners, who had a right to conclude, that every matter

would be finally settled, by the time the contracts were executed, and all the arrangements of the contractors, preparatory to commencing work, completed.

The Commissioners are not sensible that any act of theirs has merited the infliction of these perplexities and disappointments upon them. No attempt whatever has, or will be made by the Commissioners, to influence the judgment of the Appraisers; nor have they felt, or expressed, any wish to deprive the owners of land of a full compensation for their property, or for the injury they are likely to sustain by the operation of the works. Neither has any fact or information been withheld from the owners of the land, or their Counsel, that was deemed by them necessary to arrive at a just conclusion on the subject. They have accordingly had free access to the plans of the aqueduct, and the profile of the land, through which it was to pass; and have been informed, on all occasions, of the permanent injury they were likely to sustain, either by the aqueduct rising above the surface in some places, and in others by leaving a chasm, where the earth excavated could not be spared to fill up and make it level with the surface of the ground; and other matters of the same import. At the request of their Counsel also, the Commissioners, during the late session of the Appraisers, laid before him the prices they had paid for land purchased on private contract; and this information, as well as the above, was used in argument to enhance the value of other land, though not in the immediate vicinity of that purchased. In addition we may add, that the Appraisers are gentlemen of character and experience; residents of the County of Westchester, and sworn to act faithfully and impartially in the awards they make; and, after all this, that the land owners should still be dissatisfied with the sums awarded them—believe the absurd tales propagated respecting the annoyance and injury they would receive, through the bad conduct of the workmen; and, by the delays we have alluded to, prevent this important work from progressing, is, to us, unaccountable.

We stated in our last report to your honorable body, and we now repeat it, that we have bound the contractors to prevent the giving or selling any ardent spirits to the workmen or other persons on or near the line of aqueduct, under the penalty of being discharged from the employ forthwith; and if any person in the service of the contractors, shall commit trespass on the premises of the inhabitants, he shall immediately be discharged, and prosecuted as a trespasser; and the Commissioners have good reason to believe, these provisions have been strictly enforced to the letter; but, notwithstanding which, they are sorry to say, attempts have been made to excite the fears of the inhabitants; that nothing but riot, theft, and even bloodshed would be the every day occurrence among the persons employed in the work to be performed; and to this end, during the late session of the Appraisers, a very serious charge against the contractors, and those in their employ, was brought before the Appraisers by the Counsel of the landholders, with the object, as is presumed, to enhance the awards for anticipated damage. The charges were in the form of a joint affidavit, signed by Joshua Purdy, Henry Lounsberry, Gabriel Purdy, and Robert Tompkins, upon whose farms the aqueduct was then building. The Commissioners had no means, at the moment, of rebutting these charges, by the cross-examination of the deponents, or by obtaining counter affidavits. They have since, however, procured the separate depositions of Joshua Purdy, Henry Lounsberry and Gabriel Purdy, three of the persons who signed the joint affidavit, clearly showing that they have been entirely misunderstood by the person who drew up their joint declaration.

They did not mean to say that "by reason of constructing the said aqueduct, they have lost almost the entire products of their respective farms." One of them had a few rails, and some small wood, or tops of old trees taken; another, a small quantity of green corn, and another, a quantity of apples; but whether these articles were taken by the laborers or not, they cannot state. They all agree in the declaration, that they

have never lost any potatoes or grain of any kind out of their fields, since the aqueduct has been building.

Copies of these depositions are on file in the office of the Water Commissioners, and may be referred to by any who feel an interest in the subject. There are two charges, however, made by the joint deposition, which the Commissioners consider important, and requiring particular notice, viz., "that a residence near said aqueduct, for these deponents and their families, is extremely unpleasant, by reason of the noises, riots, and drunken revcls of the said laborers. That spirituous liquors are freely drank by the laborers and to excess, on the said aqueduct, and these deponents believe, to the knowledge of the contractors." In answer, they all aver, that they have never seen liquor sold on the line of the aqueduct, and that the contractors have forbidden the sale of it in the shantees, by those in their employment, under the penalty of being discharged therefrom. That they do all in their power to preserve order, and in all cases, when complaints were made of the conduct of the laborers, they have been discharged and turned off the work.

It is also charged "that it is unsafe and imprudent for a respectable female to walk on, or near, or along where said aqueduct is constructing" The separate depositions, however, state, that all the deponents reside within a short distance of the aqueduct, and have seen ladies visit it at different times, while the laborers were at work, and never saw or heard any complaint of their being insulted by them; that so far as their observation extends, the laborers on the aqueduct are a civil people.

In addition, we have the deposition of Joseph Hunt and James Merritt, two farmers, through whose land the aqueduct passes, who separately aver, that their orchards are near the line of the works, and that they have, during the season, raised crops of potatoes, corn, &c., in the immediate vicinity of the aqueduct, and the laborers have not stolen, or in any way destroyed, the deponents' crops, or robbed their orchards; nor

have they committed any waste, or in any way interrupted the regular course of husbandry on said farms.

We also add a certificate from John S. Mattocks, Esq. a Justice of the Peace, near the works, who declares he is acquainted with most of the men who own farms through which the Croton Aqueduct passes, and that he never yet had a man who owns a farm, or any land, to enter any complaint of the men employed on the aqueduct, for stealing any thing on or about their farms.

The Commissioners cannot forbear expressing their entire satisfaction with the conduct of the contractors and their workmen, thus far; and that it has been in their power so amply to rebut the calumny which has been attempted to be cast upon them, is to the Commissioners, as it must be to your honorable body, peculiarly gratifying.

It is, perhaps, proper that we should apologise for reverting so frequently to the grievances we are continually experiencing, as well from the delays in the proceedings of the Court, as from the opposition of some of the land owners to the use of their property for the works, and of others to the amount awarded to them, for the injury they are likely to sustain during its progress to maturity. The importance of the enterprise, however, with the execution of which we are entrusted, the time already consumed, exceeding what was originally contemplated for its completion, appears to make it necessary that the causes of delay in its execution should be explained; in order that our fellow citizens generally, as well as your honorable body, may be correctly informed on the subject.

The Appraisers made a separate and special report on the case of James W. Robinson, already alluded to, which was moved for confirmation by our Solicitor on the sixth, and was set down for argument on the twenty-first of November last. The case came up in its order on the twenty-first, and Counsel for the appellant was heard in opposition to the report of the Appraisers. As this case was somewhat peculiar, the Ap-

praisers found themselves embarrassed in disposing of it satisfactorily. The intention, evidently, of Mr. Robinson, as well as his interest, seemed to be, that there should be a street on, or near the line of the aqueduct; and all his negotiations with the Commissioners, for the use of the land, was based upon the fact, that Spring street must be continued through his land on the line nearly in which the aqueduct was to run.

With these undeniable facts before the Appraisers, the conclusion they arrived at was unavoidable. The report takes the ground, that a street was intended in the direction alluded to; that the interest of Mr. Robinson made it necessary, and the improvement of the village, as well as the increase in number and value of the building lots, demanded it. The Appraisers, therefore, reported an award of one thousand dollars as a remuneration for the injury which had, and would be sustained by preventing the sale of building lots, and for the further annoyance and injury to other of Mr. Robinson's property, in the vicinity, during the construction of the aqueduct on this strip of land belonging to him; at the same time providing that no objection or obstruction should be interposed by the Commissioners or the Corporation, to his using the land as a street, whenever he shall deem it his interest to open it as such.

The cases of Jasper Stymets, Justus Dearman, James Benedict, William Dutcher, James Knowlton, Robinson and Carter, and Cornelia and William Beekman, referred back to the Appraisers for re-examination, was brought before them on the 13th, and their decision was reported on the 15th of December, 1837. In five of these cases, the Appraisers saw no cause to alter their former report. In that of William Dutcher and James Knowlton, they were satisfied important damages had been overlooked, and they increased the amount of their award accordingly.

A separate and special report is made by the Appraisers in the cases of Cornelia and William Beekman. Their Counsel it seems was not prepared to proceed, owing to the absence

of material witnesses, one of whom was in England, and the other confined by sickness, and a motion was accordingly made to adjourn the hearing until the 15th of March next. This was objected to on behalf of the Water Commissioners. They, however, offered to permit the testimony of these witnesses, given at the former hearing of the case to be received as though they were present, or, that the results of their further examinations of the property in question should be now received as if sworn to by them; or that an adjournment to the 15th of March next should be allowed, if Mrs. Beekman, reserving all her legal rights, would permit the Contractors to proceed with the work through her land; all of which propositions were rejected by the Counsel of Mrs. Beekman. The Appraisers then offered an adjournment for a reasonable period, if, in the mean time Mrs. Beekman would procure competent persons to inspect the property and appear before them and testify. To this it was answered that the testimony of the absent witnesses could not be dispensed with. Whereupon the Appraisers, seeing no cause for altering their appraisal, have estimated it the same as in their former report.

These are the pieces of land, alluded to in another part of this report as constituting a portion of the *thirteen sections* of the aqueduct, the progress of which must be suspended, until the aforesaid report shall be confirmed by the Chancellor, or measures devised which will place us in possession of the property.

Agreements, in addition to those stated in our last report, have been concluded with the persons named below, for a right of way across their land to the aqueduct, and for other purposes, viz.:

With Joseph Hunt, for three years right of way over	
his land, with the privilege of removing earth for	
embankment,	\$550 00
Thomas Tompkins, for three years right of way	150 00
Carried over	<hr/> \$700 00

Brought over	\$700 00
Abraham Leggett, for three years right of way	300 00
Edmund Bird, for the same	50 00
Albert Minnerly, for the same	160 00
Cornelius Jones, for the same	50 00
Isaac Coutant, for the same	118 75
Caleb Wildey, for the same	150 00
Richard Palmer, for three years right of way, and privilege to remove earth for embankment	550 00
Eliza Vanwart, three years right of way	90 00
Stephen B. Tompkins, the same	26 00
Jasper S. Stymets, three years right of way, and privilege to cut a ditch or drain on his land	300 00
Richard Austin, for three years right of way	90 00
Thomas Boyce, for land in fee for office at Tarry- town	150 00
White & Becker, for building said office	390 00
Aaron Ward, for three years or more of office at Sing Sing	300 00
	<hr/>
	\$3,424 75
	<hr/>

In the appraisement of the 4th of November last, as before stated, there were *fifty-one owners* of separate pieces of land to be appraised, all of which was required for the aqueduct. Twenty-six of these owners have consented to receive the award of the Appraisers, provided the Commissioners shall be satisfied with their title. Twelve of them have produced the necessary certificate and have been paid the money as follows:

Warner Willsee, for $3\frac{6}{10}\frac{2}{10}\frac{3}{10}$ acres of land, awarded	\$1,800 00
John Storms, " $1\frac{7}{10}\frac{9}{10}\frac{9}{10}$ do. do	1,250 00
	<hr/>
Carried over	\$3,050 00

Brought over				\$3,050 00
Abraham Acker,	for	$\frac{911}{1000}$	acres of land awarded	475 00
John M. Moser,	"	$\frac{58}{1000}$	do. do.	40 00
Joseph A. Constant,	"	$5\frac{119}{1000}$	do. do.	5,500 00
Isaac Lafurgee,	"	$\frac{158}{1000}$	do. do.	125 00
Warner Field,	"	$1\frac{74}{1000}$	do. do.	760 00
Peter Valentine,	"	$1\frac{276}{1000}$	do. do.	650 00
John Butler,	"	$1\frac{741}{1000}$	do. do.	800 00
William Archer,	"	$\frac{617}{1000}$	do. do.	650 00
Samuel Archer,	"	$\frac{950}{1000}$	do. do.	950 00
Ludlow, Morris & others,	2	$\frac{200}{1000}$	do. do.	2,300 00
				<hr/>
				\$15,300 00
				<hr/>

The remaining cases amounting to fourteen are now before the Chancellor, to be proceeded in, conformable to the rules of his Court,

Three thousand four hundred and ten dollars, of the requisition on the Comptroller for the cases confirmed by consent, remain in the hands of the Commissioners, and is the cause of their showing a larger balance of unexpended funds than usual.

Of the cases referred back to the Appraisers on the 27th of October last, and by them decided on the 15th of December 1837, that of James Knowlton was confirmed by his consent, on the 26th day of December aforesaid, and the award paid to his order, amounting to \$1,150. The other cases of this reappraisal, eight in number, are still undecided.

The following statement comprises the principal portions of the work which have been performed during the last season, say from the first day of June to the first day of December last.

Two thousand four hundred and fifty-five feet of the aqueduct is now complete.

There has been erected also about 400 feet of side wall of the aqueduct ready for springing the arch.

The amount of open cutting and excavation in earth, is 146,760 cubic yards, and the same description of work in rock is 18,272 cubic yards.

The tunnellers had penetrated the rock four hundred and six feet on the first of December, and on the first of January inst., they had extended the work to 653 feet. It is confidently anticipated that several of these tunnels will be completed during the present winter, the work progressing through the intervention of a relay of hands both day and night. The tunnel under contract to Scott & Young, in the village of Sing Sing, is now within a few feet of seeing daylight through it, and a short tunnel of 150 feet under contract to T. N. Ferrell, is cut through from end to end.

Six of the culverts are completed, and five partly finished. They vary in dimensions from two to ten feet span of the arch, and from 50 to 150 feet in length. The inverted arch or floor of the incomplete culverts are finished, so that the flow of water through the brook, passes them freely; and sufficient of the upper arch has been laid to permit the crossing of the valley with the stone embankment.

Foundation wall of the aqueduct, amounting to 12,050 cubic yards, and back filling to 10,200 cubic yards has been executed.

In addition, a large amount of materials has been procured for the work, and many items of work performed, for a detailed account of which, we beg leave to refer to a tabular statement prepared by the Chief Engineer, and accompanying this report, marked A.

Here is a respectable amount of work, considering the time in which it has been performed. Its execution has not only given general satisfaction, as to its permanence and durability, through the mechanical operations of combining the various materials into a whole, but also that the practicability of completing the undertaking in a manner and style that will be an

ornament to our country, and of the highest credit to the public spirit of the City of New York, and its corporate representatives, from whom the project emanated and has received a uniform support, is now beyond a doubt.

A very small number of our citizens, comparatively, have any idea of the magnitude of the work and its progress; the immense amount of mere manual labor which has, and is to be performed, in excavating and tunnelling through almost an impenetrable rock, or of mechanical labor in preparing materials, and in the erection of the bridges, culverts, stone and foundation walls, with the aqueduct for conveying the water to the city, and other erections of a permanent and durable character: to attempt a description of which by words, is out of the question; they must be seen to be properly understood; and the Commissioners think they may appeal with confidence to those members of your honorable body who made an excursion over the line of aqueduct in the month of August last for the correctness of this opinion.

The operations of the masons was suspended on the 8th of November last, and the work placed in a condition to secure it against the frosts of winter. Provision is made in the contracts, that no hydraulic masonry shall be laid up between the 15th of October and the 1st of April; but the weather continuing mild, and the importance of forwarding this part of the work, as far as possible, with safety, induced an extension of the date of suspension to the 8th of November aforesaid.

It will be observed there is a much larger quantity of excavation or open cutting performed, than of any other description of work. This was owing, in a measure, to the pressure of the times, which brought forward a great number of laborers seeking employment; and to meet this emergency, permission was given to proceed with this description of labor, in order that as many of these people as practicable might be employed, rather than confine the contractors to the more important mechanical operations, on which only a few, comparatively, could be engaged.

The contractors have been urged to procure as much of the stone for the erection of the culverts, to be prepared during the winter, as practicable, in order that no delay may occur in their construction at the opening of the next season. That part of the work requiring no mortar, such as stone wall for foundation and protection, rock excavation, tunnelling and earth embankment, will progress during the winter months without abatement.

It became necessary as the business increased upon us, that offices on something like a permanent continuance, should be provided for the accommodation of the Engineers, both at Sing Sing and Tarrytown; and the Commissioners having attempted, in vain, to obtain suitable places for the purpose, they were finally drove to the necessity of purchasing a small lot of ground in Tarrytown, and erecting an office on it, for the accommodation of the Engineers on that division of the aqueduct, at a total expense of \$540. They have also taken the lease of an office at Sing Sing, to be occupied so long as an office shall be required for the business connected with the Croton Aqueduct, at a rent for the whole term of \$300.

The number of persons attached to the engineer corps on the first of December, including the Chief Engineer, was twenty-four, they have since been reduced to ten, and will be located as follows: three at the office at Sing Sing, three at the office at Tarrytown, and four, including the Chief Engineer, at the office at New York. The services of these gentlemen will be required in effecting such instrumental surveys as may be necessary in progressing with the work to be performed during the winter; in preparing the proper working plans for the sections now under contract, and forwarding the operations required to expedite the letting of the third and fourth division of the aqueduct, at least as far down as the Harlaem River, and the crossing of that river with the aqueduct bridge.

The Commissioners deem it their duty to state, that the engineer corps, under their able head, have conducted the operations thus far (with some slight exception) with perfect sa-

tisfaction. We know of no instance of improper conduct on their part as gentlemen, and we presume there exists a reciprocity of good feeling between them and the owners of the farms through which the aqueduct is to pass. This feeling they are required to cultivate as far as practicable, and to avoid incommoding the inhabitants by any of the operations relative to the works, wherever it can be done without injury to the general plan; and the Commissioners have reason to believe they have acted up to this rule, and evinced a disposition to conciliate, by every proper means in their power, rather than contend in unimportant matters for their reserved rights. The Commissioners will embrace this opportunity of reiterating their continued approbation and confidence in the talents of John B. Jervis, Esq., their Chief Engineer. He has, on all occasions, conducted the operations with much scientific knowledge, in preparing the plans and specifications of the work, and with great practical information in its execution; and they entertain not a doubt he will carry it forward to completion, with credit to himself and satisfaction to your honorable body, as well as to the Commissioners.

The first and second division now under contract, embraces a line of aqueduct of nearly twenty-one miles in length, and so soon as the Commissioners shall be placed in possession of the land, extending to the Harlaem River, and which has recently been adjudicated by the Appraisers, it is their intention, *should the means be provided*, to place so much of the third and fourth divisions under contract as shall carry the aqueduct over the river to the island of New York, and probably to the receiving reservoir between 79th and 86th streets, and the 6th and 7th avenues. A work of this magnitude and importance, which is intended to last for ages, must not have its permanence and safety jeopardized by a too rapid execution of its parts; it is therefore necessary, in order that the operations should progress moderately, but steadily, that the whole line should be moving onward to completion, at one and the same time. However desirable this has been to the Commissioners,

they have, unfortunately, been prevented from carrying it into effect. The reasons have been so often alluded to and explained, that it would be useless to repeat them. The Commissioners are in hopes, however, that a better state of things is approaching, when the landowners will see that their interests have been consulted, both in the operations and conduct of the workmen, and in the measures pursued by the Commissioners.

The choice of materials, the form of the aqueduct and other appendages connected with the structure, are submitted by the Act of the Legislature, to the opinion and views of the Commissioners. In fixing upon the plan of the aqueduct, care has been taken, by proper calculations, to make it of sufficient capacity to convey, when required, the whole product of the river, or a quantity sufficient to give an ample supply for a population of one million of inhabitants. Considering also the necessity of permanence, solidity and durability in the work, means have been adopted to have the materials of the best and most lasting kind, selected by competent judges, and tested by the most approved methods in use.

The foundation of the aqueduct is stone, upon which is laid a bed of concrete, composed of broken granite and hydraulic cement; the side walls are of hammered stone, laid up with cement; the floor is composed of an inverted arch of hard brick, eight inches thick; the lining of the side walls, and the upper roof arch, are of the same thickness and materials, all laid with hydraulic lime mortar. No common mortar is permitted in the whole structure. The culverts and bridges are of dressed stone, of great strength, and suitable dimensions; all laid with hydraulic cement, which undergoes the usual tests before it is passed by the Engineer.

A very important portion of the plan for supplying this city with pure and wholesome water, is the manner of bringing it over the Harlaem River. The mode in which this shall be performed has caused much serious reflection, both to the Chief Engineer as well as to the Commissioners. In the hope of ob-

taining some useful information on this subject, one of the Commissioners, accompanied by the Chief Engineer, repaired to Georgetown, in the District of Columbia, for the purpose of inspecting the piers already built, and the plan for building and sinking the coffer dams for those piers still to be built, for crossing the River Potomac, with the Alexandria and Chesapeake Canal. The difficulties experienced, in putting down and clearing the coffer dams of water and mud, were immense; first, in driving the piles of the dam, and securing them from the effects of floods and tides; filling in the puddling of clay, in the space between the outer and inner row of piles, so as to exclude the water from without; and in clearing the dam of water and mud. The pressure of the puddling, on the timber in the first dam sunk by Captain Trumbull, the principal Engineer on the work, was so great that, in several instances, the main parts of the dam, although composed of large white oak logs, broke assunder. This dam was cleared of water nine times, in the course of about eight weeks, and was as often refilled by undiscovered leaks; supposed to proceed from the omission to drive the outer sheet piling down to the rock, and from fissures in the rock, under the mud bottom. Continual accidents were occurring with the gearing of the pumps, and other parts of the machinery; and, although the Engineer had made considerable improvement in sinking the subsequent dams, both in the pumping apparatus in use, and the means for preventing leaks; we nevertheless saw and heard enough to convince us, that if, in crossing the Harlaem River, the sinking of such immense piers can be avoided, a vast amount of trouble and expense would be saved to the city.

The Commissioners, in their report to your honorable body of the 3d of July last, expressed a doubt whether it might not be necessary to apply to the Legislature for an additional and special act, authorizing the passage of the aqueduct over the Harlaem River; and that they had requested their Counsel, the Honorable D. B. Tallmadge, to examine the provisions of the acts for supplying the city with pure and wholesome wa-

ter; and to state whether, under those statutes, the Commissioners are authorized to carry an aqueduct bridge over the Harlaem River, without further legislative authority. The opinion of Mr. Tallmadge was furnished the Commissioners on the 15th of July, twelve days after their semi-annual report was presented to your honorable body. He views the river, and land under it, as belonging to the people of this State. That the original act, of the 2d of May, 1834, contemplates the bringing of the water from beyond the Harlaem River, consequently crossing it; and the subsequent acts, of May 11th and May 25th, 1836, confirms this fact; and also, that the Croton River was to be used for supplying this city with water, and must be brought over the Harlaem River by means of an aqueduct bridge, or inverted syphon; as the Commissioners shall, upon consideration, determine. Taking these three acts together, with the cases cited relative to questions which arose in the construction of the Erie Canal, he "is of opinion that no further legislation is necessary to authorize the Water Commissioners to erect a bridge for carrying the Croton Aqueduct across the Harlaem River." There are other important matters discussed, and legal opinions cited, in confirmation of this decision; for an elucidation of which we beg leave to refer to the opinion at length, a copy of which is hereto annexed, marked B.

With a view of deciding the question, as to the best manner of bringing the Croton water across the Harlaem River, the Chief Engineer was instructed to furnish the Commissioners with an estimate of the cost of crossing said river by an aqueduct bridge, on an inclined plane; and also by an inverted syphon, with iron pipes, on a low bridge. The following is a synopsis of so much of the report alluded to, as relates to the plan of construction, and some other matters connected with the subject.

It appears the width of the river, on the high water level, was found to be 620 feet; and the distance across the valley of Harlaem River, from the grade of aqueduct in the

County of Westchester, to the grade of the same in the County of New York, is 1,450 feet. The depth of the river, to the rock bottom, was found to be 32 feet below high water line, near the south shore; and only 20 feet, on the north shore.

The aqueduct bridge will have an elevation of 163 feet above the rock at the bottom of the river, or an average of about 138 feet above tide. The span of the arches over the river must be 80 feet, and will regularly diminish to 50 feet span, for those to be built on the land. All the piers are to be constructed hollow, except those of 50 feet span, which are to be built up solid. The piers to be built of large stone, of uniform thickness in each course, and the joints not to exceed two and a half eighths of an inch. The work generally to be performed in the most approved manner practicable.

In making an estimate of the cost of this structure, the Chief Engineer observes, that he had been governed by the value of work of much similitude, estimated by several of the most competent men in the department of masonry; that there is no work under contract precisely similar, or of the same magnitude; or which, from its elevation and inconvenience of access, will be so expensive in laying up, or requires so great a portion of large stone, or the same exactness of execution; at the same time, there is sufficient resemblance to constitute a guide; which, with careful application, will not lead astray materially in computing the expense.

The estimate is given in the report in detail, and amounts in the aggregate as follows:

Estimate for a high bridge, maintaining a uniform

inclination of aqueduct \$935,745

The plan of carrying the water across Harlem River by an inverted syphon, is next considered. It is proposed to erect a semi-circular arch, of 80 feet span, resting on abutment piers. The total height of the arch, from the level of flood tide, to the under side of it, will be 50 feet. This arch is placed on the New York side of the river, and will form a sufficient channel way for navigation.

From the north abutment of the arch, to the Westchester side of the river, will be constructed an embankment of stone, by casting them into the river until a sufficient bed shall be formed to support the foundation wall of the aqueduct. From the south abutment pier of the main arch, on the New York side of the river, an arcade, of three arches, will be built; one of 35, one of 30, and one of 25 feet span; and, connected with this, a foundation wall will be carried up the ascent, until it reaches the grade level, where the foundation and side walls are to be laid, to receive the pipes entering the effluent pipe chamber. The foundation walls, extending from the arcade of arches, and from the abutment of the channel arch, is to be formed of dry masonry; except two feet, constituting the face, and two feet across the top; to form the bed for the iron pipes; all of which to be laid in cement mortar.

A parapet wall will be raised on each side of the bed of the pipes, to support the earth covering; which is to be four feet deep, above the pipes, to protect the water from the effects of frost.

There will be an influent pipe chamber at the termination of the aqueduct on the north, or Westchester side of the river, in which the pipes are to be inserted. Commencing on this side of the river, at the influent pipe chamber, the pipes descend nearly with the slope of the hill, forming an angle near its base, and thence to the lowest level; which determines the top of the foundation wall for the pipes, at four feet above flood tide. This level is continued to the angle, before rising to the channel arch; from whence an inclined plane carries the pipes to the effluent pipe chamber, on the New York side of the river.

It is proposed to arrange the structure of the chambers, and foundation for the pipes, to accommodate four 36 inch cast iron conduits, whenever so many shall be required. Four *three feet pipes*, according to the calculation of the Engineers, will deliver 49,843,984 gallons of water every twenty-four hours; which is about the quantity calculated to be delivered

by the aqueduct, and nearly the average quantity running in the Croton River. It is proposed, therefore, to insert only two of these pipes at present; they being deemed more than sufficient to supply the city with water for many years to come.

This estimate is reported in detail likewise, and amounts in the aggregate as follows:

GENERAL ESTIMATE for plan by inverted syphon
and iron pipes \$426,027

The following is a comparison between the two plans as to the estimated cost of both of them.

1st. THE HIGH BRIDGE, maintaining its established inclination over the river . . . \$935,745
2d. IRON PIPES, supported by a low bridge . . . 426,027

Excess of expense for the high bridge . . . \$509,718

In addition to the report of the Chief Engineer, the Commissioners directed a contracted plan of the two methods of crossing the Harlaem River, to be prepared by Charles B. Pearson, Esq., an architectural draftsman, now in the employ of the Commissioners, which are herewith submitted for the inspection of your honorable body; and, at the same time, for a more full and satisfactory elucidation of this important subject, they beg leave to refer to the able report of the Chief Engineer hereunto annexed, marked C.

It will be seen that the Chief Engineer expresses a decided opinion in favor of the plan by inverted syphon or pipes; and the Board of Commissioners, after due deliberation, have adopted said plan, as, in their opinion, far preferable to that for crossing by a high bridge and inclined plane.

The reasons which have governed the Commissioners in this decision are as follows:

1st. The difference in the cost of carrying an aqueduct over the river, on a bridge of 163 feet in height, on seven im-

mense stone piers, sunk in the water and mud, on an average of 25 feet below tide, with 80 feet span of arches, and that of conducting the water over a low bridge, requiring only one pier in the river, with an abutment, is sufficient of itself, in the opinion of the Commissioners, to decide the question.

2d. All the purposes and objects to be attained by the project, will as well be attained by the plan of a low bridge as by that of the high bridge, and at an expense of more than half a million of dollars less.

3d. The experience in sinking piers in so great a depth of water and mud, in order to reach the rock bottom, being very limited, and their great number and immense height, from the rock to the spring of the arches, although their construction is practicable, it must be attended with many unforeseen difficulties and casualties; and should the least variation from plum occur, or the least settlement on the foundation take place, it would carry with it very injurious results to the work; while with the low bridge and iron pipes, the same occurrence would be attended with but trifling injury, and could very soon be repaired.

4th. The water in a large aqueduct of masonry would, with much more uncertainty, be protected from frost on the high bridge, from the great elevated exposure and difficulty in surrounding it with a sufficient quantity of earth, than when constructed on the land; while the iron pipes, from their comparative size, may be bedded in earth of sufficient depth and compactness, to avoid all possibility of being affected by the frost.

5th. The effects of leakage has been found very injurious to the aqueduct bridges on our canals, and it is therefore a part of our contract to line the aqueduct, when the crossing of streams on bridges is necessary, with plates of cast iron, in order to avoid the possibility of repairs, which might require the shutting out of the water while effecting them, and thus be attended with serious consequences to the city. This evil will be entirely avoided by the use of iron pipes; but should

any thing occur to injure one of the pipes, the other would still be kept in operation, and conduct a sufficient supply of water through the aqueduct to the reservoir for all ordinary purposes.

6th. The time necessary to complete the high bridge, would be considerably more than what would be required for constructing the low one, and a saving of time in bringing to the city a sufficient supply of the Croton water, is a consideration worthy of attention.

7th. If the river should ever be made navigable, by the removal of the mills at Kingsbridge, and the obstruction of the dam at Macomb's Bridge, the facility afforded by the low bridge, of an archway of 80 feet in width, and 50 feet in height above full tide, will admit the passage of vessels of sufficient burthen and capacity, for every useful and necessary purpose, and the high bridge could do no more.

Although the Commissioners have thus decided, based upon the foregoing reasons, and in accordance with what they deemed their duty; they nevertheless admit, so far as architectural display is involved, that the high bridge has the preference; and if your honorable body should be of opinion, notwithstanding the great additional expense, that the aqueduct should cross the Harlem River on a high bridge, and will fortify that opinion by an ordinance, passed by both Boards and approved by the Mayor, the aqueduct shall be constructed in accordance with the provisions of such ordinance.

The necessary surveys and levels, to ascertain the most suitable course for the aqueduct on the island of New York, has only recently been effected; some demonstration, however, towards completing a plan, had been made, under the direction of Major Douglass; but it was found necessary to go over the whole ground again, in order to arrive at a result satisfactory to the present Chief Engineer; and an earlier attention to the subject was prevented by the pressing necessity of preparing the first and second divisions of the aqueduct for contract; and also the great care required in a work of such

magnitude and importance, that the first portions of the project should be well and permanently executed, as a guide and example for the future.

The result of these examinations carries the aqueduct from the Harlem River to the receiving reservoir as follows: it commences on the New York side of the river, at the effluent pipe chamber, on land belonging, or lately belonging, to the estate of Stephen Jumell, where a tunnel of 200 feet is contemplated. It then takes a southerly course, crossing the land of Mr. Watkins; then runs westerly on the land of Carman and Connor, and enters the 10th avenue at 151st street, where a tunnel averaging 45 feet below the surface, must be made from 140th to 135th street inclusive. The line then continues in the 10th avenue to 107th street, and makes a curve easterly to 104th street, and from thence runs parallel with, and 125 feet from the northerly line of the 9th avenue to 90th street, where another curve occurs, carrying the line to 85th street, where it enters the receiving reservoir. From this reservoir it is proposed to conduct the water through the 5th avenue to the distributing reservoir on Murray Hill, by iron pipes.

In following the line of aqueduct as above described, its grade will, in several places, be above the present surface of the ground, and from 102d to 95th street inclusive, in order to accommodate the carriageway and sidewalks, archways must be erected over the streets, and the aqueduct carried on a stone embankment of from $\frac{1}{2}$ 33 to 48 feet in height; and in passing through the 5th avenue with the iron pipes to the distributing reservoir, a portion of the carriageway must be graded, in order that the pipes may be sunk to a proper depth below the surface of the street, not to be out of the reach of repairs, should any be at any time required, nor so near the surface as to be exposed to the action of frost.

The Commissioners submitted an estimate to your honorable body in their report of the 3d of July last, of the probable cost of completing the first and second divisions of the aqueduct, and promised to report an estimate of the total amount

that would be required to complete the whole project, including the receiving reservoir between the 6th and 7th avenues and 79th and 86th streets, and the distributing reservoir on Murray Hill, in order that authority might be obtained from the Legislature to raise the additional funds required. The Chief Engineer has, accordingly, at the request of the Commissioners, furnished them with his views on the subject, so far as they relate to the operations of his department of the works, including the most substantial and economical mode of construction, with the probable expense of such construction; and the Commissioners have added the actual cost of the land paid for, and the probable cost of that still to be acquired; also the sum paid for the temporary use of land for roads and embankments, and the probable expense of what may still be required, with other damages and probable charges for water and land, incident to the undertaking; also the amount already paid for salaries and other incidental expenses of the Commissioners already incurred, and including the amount that may be incurred; the estimates thus embracing every expenditure already made and to be made, from the commencement to the final completion of the work. In bringing together the several items which compose this estimate, an attempt has been made to cover every positive and probable expense, in the hope, at the same time, that the actual cost will be less than that stated; which the Commissioners will use every means in their power to effect, and thus a third application to the Legislature be avoided.

By a reference to the report of the Chief Engineer, alluded to above, it will be seen, that the crossing of the valley at Manhattanville, with the aqueduct, and the erection of the receiving and distributing reservoirs, are works of great magnitude and cost. For crossing the Manhattan Valley, three lines are designated, and an estimate furnished, for carrying the aqueduct on a high bridge from the north, to the south grade. The first line runs diagonally from 128th street, in the 9th avenue, to between 118th and 119th streets, in the

10th avenue. The second line crosses the valley and runs parallel with, and 125 feet from, the 10th avenue. The third line continues through the centre of the 10th avenue.

The crossing of all these lines is to be effected by means of a bridge with semicircular arches of 50 feet span, similar to the diagram accompanying this report, representing the high bridge over the Harlaem River.

The length of the three lines, from grade on the north, to grade on the south side of the valley, are as follows :

First, or diagonal line	3,300 feet.
Second, running 125 feet east of 10th avenue	3,700 feet.
Third line, running through the 10th avenue	3,700 feet.

The maximum elevation of the bridge above the natural surface of the ground to grade line, is about 103 feet, and to the top of the parapet wall 116 feet. To erect a bridge on the first, or diagonal line, as per estimate, will cost \$983,000 00

The same for the second line	1,286,880 00
The same for the third line	1,286,020 00

\$3,555,900 00

It thus appears that, making an average of the cost of crossing the valley on an arched bridge, by the three lines designated, and continuing the aqueduct on its regular inclination, will amount to \$1,188,633.

An estimate is then presented, for crossing the valley with pipes, or inverted syphons of three feet diameter. The estimate proceeds upon the principle, that only two pipes will be required at present, which will supply about nineteen millions of gallons per day, and allow thirty gallons to each person, of a population of 600,000 inhabitants ; and in order to show the economy of the plan of crossing the valley by pipes, instead of an aqueduct bridge, a sum or capital is added to the estimate, the interest of which will pay for any additional number of pipes that may, in future be required, from time to time, as

the population increases, sufficient to carry the whole produce of the Croton River to the reservoirs.

The estimate for crossing with four pipes of 3 feet

diameter, all laid, amounts to . . .	\$453,670
For two pipes of same dimensions . . .	303,926
For five pipes, all laid down . . .	550,988
For only two pipes of the five laid down . . .	346,372

It thus appears, if it should be deemed necessary to lay down four pipes in the first instance, at a cost of \$453,670, which would furnish 38 millions of gallons every twenty-four hours, there would still be a saving in the expense, by carrying the water over the valley by pipes, of \$734,963, adopting the average cost of carrying it by an aqueduct bridge: and comparing the cost of building the bridge on the diagonal line, which is the cheapest, with the estimate for laying two pipes that will carry 19 millions of gallons daily, there is still a saving by the latter plan of \$679,074.

The Commissioners were in hopes, as they had abandoned the idea of crossing the Harlaem River with an aqueduct bridge, that they would have been enabled to recommend the building of a similar structure for carrying the water over the Manhattan Valley; a work that must have been an ornament to the city and a credit to the Corporation, as well as to the individuals having charge of its execution; but the vast difference in the cost, has put it entirely out of the question, and they have accordingly adopted the plan of carrying the water over the valley by pipes or inverted syphons.

In adopting the foregoing plans, for conducting the water over the Harlaem River, and in crossing the valley at Manhattanville, on the island of New York, both the Commissioners and the Engineers have been governed by a wish to reduce the cost of the work to the lowest possible sum, consistent with its durability and permanence. The plan, however, may be modified, both in those particulars as well as others, if deemed expedient by your honorable body, and a high bridge may

be substituted, instead of the syphon at the Harlaem River and Manhattanville, by incurring an additional expenditure of *one million, one hundred and eighty-eight thousand, seven hundred and ninety-two dollars*; and by delivering the water in the city, at a much less elevation than what has been contemplated, a lower grade may be adopted for the aqueduct, that would prevent its rising above the present surface on this Island. The Commissioners, however, do by no means recommend this deviation from the plan proposed; but as some of their fellow citizens have expressed a solicitude that the water might be carried on an aqueduct bridge with architectural display, the Commissioners are disposed to be guided by the opinion legally expressed by your honorable body on the subject.

That the permanent grade of the several streets and avenues, adjacent to the line of the aqueduct, ought, as far as practicable, be made to conform to such line, the Commissioners think must be admitted; and they trust, therefore, that the whole subject may be specially referred to a Joint Committee of both Boards and the Street Commissioner, with authority to take measures for opening and fixing the grade of such streets and avenues, through which the water is to pass; and to adopt such modification of the plan, on the Island of New York, as shall seem most conducive to the end in view; and the Commissioners and Chief Engineer promise to co-operate with such Committee, and to lend them all the assistance in their power.

The estimate for erecting the receiving reservoir, to have a depth of 20 to 25 feet of water, and to contain 158,000,000 of gallons, is	\$310,500 00
The distributing reservoir of Murray Hill, will have an average elevation of about 31 feet, above the natural surface, and 40 feet above the established grade, and will be 420 feet square. The estimated cost is	295,340 00

The total cost of the reservoirs	\$605,840 00
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Amount brought forward,	\$605,840 00
The cost of the four divisions of the aqueduct, commencing at the Croton Reservoir and ending at the receiving reservoir, including the crossing at the Harlaem River and the Manhattan Valley by pipes, amounts to	6,189,000 00
And for the connecting pipes, between the re- ceiving and distributing reservoirs	499,110 00
Add for contingencies and superintendence, eight per cent.	583,516 00
Total estimate for aqueduct, engineering, &c.	<u>\$7,877,466 00</u>

To which must be added as follows :

Cash paid for land in fee, and estimated to be paid	501,158 00
Cash paid for temporary use of land, and esti- mated to be paid	12,175 00
Cash paid, and estimated to be paid, for salaries, postage, printing, travelling, stationery, Counsel, and Chancery expenses, &c.	73,234 00
Total cost of completing the works, except the iron pipes for conducting the water through the streets of the city	<u><u>\$8,464,033 00</u></u>

It therefore appears, that a sum of about \$6,000,000 will be required for this object, in addition to the \$2,500,000, authorized by the "Act to provide for supplying the City of New York with pure and wholesome water."

For much interesting information on this subject, we beg leave to refer to the report of the Chief Engineer, hereunto annexed, marked D.

The foregoing estimates for engineering, salaries, and contingent expenses, are based upon the calculation, that the work will require five years from this date to complete it.

Should a less time be consumed, however, the cost of the aforesaid charges will of course be proportionably less. The sum required is more than \$3,000,000 over any of our former estimates, and can only be accounted for by the fact, that the Engineers, originally employed, did not possess the means of testing their calculations, by the actual cost of the work under contract, as we have been enabled to do. Your honorable body, however, were apprised of the fact, in our last report, that the "estimates of the Engineers, originally employed to make the necessary examinations, would fall far short, as the Commissioners have now good reason to think they will, of the sum necessary to bring the project to a successful termination;" and we added, "the Commissioners wish it be understood, therefore, by your honorable body, as their settled opinion, based upon the result of the bids for that portion of the work offered for contract, and the very high price they have been compelled to pay for land and other privileges required for the works, that the total cost of the project will far exceed the estimates reported to the Common Council, founded upon data adopted by the Engineers in their reports dated the 1st of November, 1833, and 25th of January, 1835, and the 1st of February, 1835; all of which reports and estimates may be seen, by referring to the Documents of the Board of Aldermen, No. 36 of 1833, and No. 44 of 1835."

The Commissioners took the liberty, in their report of the 3d of July last, to suggest the propriety of appointing, by the Common Council, a Board of Commissioners, consisting of the Mayor, Comptroller, Counsel, Street Commissioner, and Chamberlain, to be denominated, *the Commissioners of the Water Fund*; whose duties would consist, principally, in managing the fiscal concerns of the Water Loans, &c.; and for adjusting applications that may be made by the owners of land, or the contractors and others, for relief in cases not cognisable by the Water Commissioners, under the act. That another Board should be appointed, consisting of the before mentioned officers and the Water Commissioners, jointly; and denomi-

nated the *Water Works Board*; and we cited the arrangement, by the Legislature of this State, in relation to similar matters, arising while building the canals, as an evidence of the utility of the measure; and we again beg leave, respectfully, to call the attention of the Common Council to the subject.

The Commissioners have thus stated, in detail, every transaction, of the least degree of interest, which has occurred since their semi-annual report, of the 3d of July last; and, consequently, this report has been extended far beyond the usual limits. The only apology they have to offer, for thus trespassing on your time, is, the construction they have given the provisions of the Act of the 5th of May, 1837; which appears to require a minute and detailed statement of every transaction of the Commissioners.

All which is respectfully submitted.

STEPHEN ALLEN,
WILLIAM W. FOX,
CHARLES DUSENBERRY,
SAUL ALLEY,
THOMAS T. WOODRUFF.

} *Water Commissioners.*

Office of the Water Commissioners, }
January 2, 1838.

Received of the Treasurer of the
 State of New York the sum of
 Five hundred and fifty dollars
 for the purchase of land for
 the use of the State of New York
 in the year 1870

Witness my hand and seal this
 11th day of January 1870

John A. Dix
 Governor

B

Opinion of Counsel on the following Question

Referred to in page 368.

An opinion is required upon the following Question :

“ Are the Water Commissioners authorized to erect a bridge for carrying the Croton Aqueduct across the Harlaem River, without an Act of the Legislature ? ”

I understand this to be an inquiry whether *further* legislation will be necessary to authorize the erection for the purpose mentioned.

By the Charter (p. 37,) the boundary of the City of New York commences “ at the river, creek or run of water called Spuyten Duyvel, where the said river or creek empties itself into the North River on West Chester side thereof at low water mark, and *so to run along the said river, creek or run on West Chester side at low water mark* to the East River,” &c ; thence, &c., giving the east, south and west bounds of the city.

This must not be understood as a grant of *property* in the soil, but merely fixing the Corporate *jurisdiction* of the City of New York.

If we look to the other parts of the Charter in which there are grants of *property*, we will not find a grant of the Harlaem River or the land under it. In the general grant (p. 95 of Charter) of “ all waste, vacant, unpatented and unap-

propriated lands lying in the said City" in its extent into the rivers, we find it limited "*to low water mark.*"

There being then no *specific* grant of the Harlaem River or the land under it, and it not being embraced under any *general* grant, I shall consider the river and land under it as belonging to the People of this State.

From the general tenor of the original Act of May 2d, 1834, and the object to be accomplished, viz., supplying the City with pure and wholesome water, it is manifest that the Legislature contemplated that the water was to be brought from beyond the Harlaem River, and consequently brought across it by necessary erections for that purpose.

The subsequent Acts of May 11, 1836, and May 25, 1836, are in express terms based upon the idea that the water was to be brought from West Chester County, and consequently to be carried *across* the Harlaem River by such erections as might become necessary.

These two last Acts also necessarily recognize the plan previously adopted by the Water Commissioners, and reported to the Common Council, and sanctioned by a vote of the citizens of New York, as provided for by the 4th, 5th, 6th, 7th, and 8th sections of the original Act; as the Commissioners and Common Council are not allowed to proceed in the work until such plan is submitted and approved.

The Legislature by these Acts providing for proceeding in the work of construction, recognize the fact, that the *Croton River* was to be used to supply the City with pure and wholesome water, and that it was to be brought to the City agreeably to a *plan* adopted by the Commissioners, and approved by the Common Council and a vote of the citizens of New York.

Here then we have—

1st. The original Act which contemplated bringing the water from *beyond Harlaem River*, which could only be done by the necessary erections to conduct the water *across* the river.

2d. The amendments to the Act speaking in terms of bring-

ing the water from *West Chester County*, and consequently across the Harlaem River, by such erections as the nature of the work and the object to be accomplished required.

3d. The Acts of amendment providing for *proceeding in the work* of construction which necessarily recognises and sanctions the plan of the Water Commissioners reported and adopted, which plan embraces the *crossing of Harlaem River* by means of an "aqueduct bridge," or "inverted syphon," as the Commissioners should, upon further consideration, determine. (Doc. No. 44, pp, 344—346.)

Viewing these three Acts severally, and adopting the construction which each will warrant, unaided by any subsequent amendment, I think we find sufficient ground for saying the Commissioners have the power to make the necessary erections for bringing the water across the Harlaem River.

But when all these Acts of the Legislature are considered *together*, I do not find room to doubt as to this conclusion; and that several Acts, passed at different times, in relation to the same subject may be so considered, is abundantly sanctioned by authority. Chancellor Kent, speaking of the *several* Canal Acts, (7 J. C. R. 341,) says, "they are to be taken and construed together, as being made in furtherance of one great useful and splendid public object."

Although the Harlaem River belongs to the People of this State, yet the ownership of it must not be suffered to magnify its importance, beyond what the true character of the stream will warrant.

In the Charter, p. 37, it is called a river, *creek* or *run* of *water*; and in May, 1834, when the original Act passed, authorizing proceedings to supply the City of New York with water, we find this stream encumbered by bridges, and obstructed with dams, so interrupting the navigation of said stream, that the necessary erections for conveying the water across it, where the present plan contemplates, will not further interrupt its navigation.

With this stream then obstructed already, so as to prevent

a free navigation from river to river, with little or no navigation beyond the first obstruction at either end of it, we find the Legislature passing an Act for furnishing this great City with an abundant supply of water, at an enormous expense; giving to the Water Commissioners *ample power* to take private property, either in lands, mills or streams of water; to break up, for the time being, the public roads, when necessary; and yet the question occurs, has the right, to make the necessary erections for passing this unimportant stream with the aqueduct, been granted by the Legislature?

An application of the rules of law which govern in the grants of power to the most unimportant Corporations, would establish the right to make the necessary erections for conducting the aqueduct across the Harlaem River.

A Corporation, in addition to the express powers granted, has such *implied* powers "as are necessary to carry into effect the purposes for which the Act of Incorporation was granted." 2 Cow. 664.

Applying this rule, if the right to make the erections for taking the aqueduct across the Harlaem River, be not in *terms expressly granted*, yet, as the *object* was to supply the City with water from the Croton River, and the erections in the Harlaem River are absolutely "necessary to carry into effect the purposes for which the Act was granted," it follows that the Commissioners have the power to make those necessary erections.

Kent says, "Statutes made for the public good, and for general and beneficent purposes, are to receive a very liberal construction, and to be expounded in such a manner as that they may, as far as possible, *attain the end*."—7 J. C. R. 343.

Again speaking of the Act passed for the construction of our canals, Kent says, "every construction which tends to an absurdity, or to embarrass or to defeat the purposes of the statute, must be avoided."—20 J. R. 740.

Would not an interpretation of the laws which would prevent the aqueduct crossing the Harlaem River be an "*ab-*

surdity?" Would it not tend "to embarrass and *defeat* the purposes of the statute?" It most assuredly would, and therefore, in the language of Kent, such an interpretation "must be avoided."

Whether, therefore, I look to the several acts of the Legislature for an express sanction of the necessary erections for carrying the aqueduct across the Harlaem River, or whether I examine the Acts and ascertain that such a power is implied, as being "necessary to carry into effect the powers expressly granted," instead of "defeating or embarrassing the purposes of the statute," I feel confident in my conclusion, that so far as the rights of the State are concerned, the Water Commissioners have the power "to erect a bridge for carrying the Croton Aqueduct across the Harlaem River" without any further legislation.

The only remaining question then is, whether the "Harlaem River Canal Company" have rights which interfere with the powers of the Water Commissioners in this respect. It is not necessary for me to start the enquiry, whether under the power to take "any property which may be required for the purposes of the Act," the Commissioners have not a right to consider the grant to "the Harlaem River Canal Company" as property, and, if necessary, to take the same under this provision of the statute.

The Act incorporating this Company, passed 16th April, 1827.

This Act gives the Corporation, as far as the rights of the State are concerned, ample power "to improve the navigation of Harlaem River, so as to afford to vessels which shall traverse the land canal, an easy navigation, from Spuyten Duyvel Creek to and along Harlaem River to the East River."

The term of two years from the passing of the Act is allowed for completing the canal, *and no more*; "and should said Canal not be made within said period, then this Act shall be deemed to have expired, and to be void to all intents and purposes." (L. 1827, p. 359, § ii.)

Nothing was done by the Company in constructing this work, and by the limitation, the Act, to all intents and purposes, became a nullity on 17th April, 1829, being the expiration of the two years; and all the rights of the Company then reverted to the State as fully as if no Act had ever been passed.

After this reversion to the State, of all its former rights to the Harlaem River, and in May, 1834, the Act was passed "to provide for supplying the City of New York with pure and wholesome water," and amended 11th May, 1836; *afterwards* and on the 13th day of May, 1836, the Act is passed to *revive* the Act incorporating the "Harlaem River Canal Company;" and for all legal purposes, this Act of revival is the same as if the Company was then on the 13th of May, 1836, for the *first time* incorporated.

The Harlaem River Canal Company take their grant from the State, therefore, subject to all former grants or laws passed that in any manner affects the Harlaem River; and as the power to obstruct the river, so far as making the necessary erections for conducting the Croton Aqueduct across that river, had already received the sanction of the Legislature, the Canal Company take their powers subject to the rights of the Water Commissioners; consequently, the rights of the Harlaem River Canal Company do not, in any way, interfere with the rights granted under the several Acts for supplying the City of New York with water.

I am therefore of opinion that no further legislation is necessary to authorise the Water Commissioners "to erect a bridge for carrying the Croton Aqueduct across the Harlaem River."

DANIEL B. TALLMADGE.

C

REPORT

OF THE CHIEF ENGINEER

**In relation to the Plan for crossing Harlaem
River,**

Referred to in page 371.

NEW YORK, 12TH DECEMBER, 1837.

*To the Honorable the Board of Water Commissioners of the
City of New York.*

GENTLEMEN,

In examinations made with a view of deciding on the most proper method, or plan, for carrying the Croton Aqueduct over Harlaem River, I find that the late Canvass White, Civil Engineer, in his report of January, 1826, to the Directors of the New York Water Company, proposed to carry the waters of the Bronx over this river, by means of iron pipes. The pipes to be supported on a "permanent stone bridge," which he proposed to construct at Macomb's Dam. The surface of water in the reservoir, from which it was received by the pipes, on the north side of the river, was about 80 feet above

mean tide. No particulars were given in his report relating to the manner of constructing the bridge; but from the general plan, there is no doubt but he designed a bridge, only sufficiently elevated above the water of the river, to support his pipes and form a roadway.

John Martineau, Civil Engineer, in his report of January, 1835, to your Board, proposes to cross Harlaem River by an "inverted syphon," made of wrought iron, 8 feet in diameter, and supported on a bridge, composed of one arch of 60 feet span, over the channel way, and the remainder by a stone embankment 30 feet high.

D. B. Douglass, Civil Engineer, in his reports of November 1833, and January, 1835, recommends a bridge of stone masonry, by which the regular inclination and grade of the aqueduct would be maintained. Major Douglass presented comparative estimates of the cost of this plan, and that of an "inverted syphon," supported on a low bridge; and Doctor Martineau only of the plan of crossing by an "inverted syphon."

With some difference in detail, it therefore appears that Messrs. White and Martineau recommended crossing by iron pipes, supported on a low bridge, and Major Douglass by a high bridge, maintaining the grade line. Of the practicability of either of the two methods, there is no doubt. The great question is, to determine which, under all the circumstances, will most economically secure the desired object of passing the water over this valley. In the different methods that have been proposed, I have not been able to obtain the detail by which the several difficulties were to be overcome, and the estimate of expense obtained. The records to which I have had access, only giving the general features, and I have seen no drawings of either.

In order to present the subject fully to the consideration of the Board, I have, in compliance with your instructions, prepared plans and estimates of each method, which will be submitted with this report.

The width of the Harlaem Valley, at the grade line, is 1450

feet; of which 620 feet is on the high water line of the river. The level of mean tide is 118 feet below the grade level, or 131 feet below the top of the parapets designed for the bridge.

In April last, Mr. Carmichael was instructed to prepare a suitable float, and with sounding rods to examine the bed of the river. In the first place, he proceeded on the line of aqueduct as located across the river. He found no difficulty in sinking the rod through the mud; but the sand which lies in a great portion of the bed, from 4 to 8 feet deep on the rock, frequently required much perseverance to get through it. Commencing at the southern shore, rock was found at a pretty uniform level for 220 feet, and ranging from 24 to 33 feet below high tide. At this point the rock changed, and became very irregular, and a stratum of gravel at several places, prevented the rod from reaching the rock. Lines on each side of the centre, at 20 and 40 feet distant, were also examined; and both above and below the centre line, the rock was found *more* regular, at less depth of water on the westerly side, and at a greater depth on the easterly side of the centre line. The result was less favorable than had been anticipated from previous examinations, and led me to direct surveys, with a view of finding a more favorable place for crossing. After all the examination that was deemed necessary, a line parallel to the located line, and 60 feet westerly from it, was considered as presenting the greatest advantages for an aqueduct bridge. At this point the rock was found more regular, and varying from 32 feet near the south shore, to 20 feet below high water line, near the north shore. There is at this location a less depth of mud and sand, and consequently greater facility in constructing coffer dams. The sand is not a material impediment, and, in some respects, very useful; but the mud is likely to do much harm and no good. At this location the foundation of the piers will range from 18 to 32 feet below flood tide, and average about 25 feet. The elevation of the parapet of the bridge above the lowest foundation of pier will be 163 feet.

In deciding on a plan for an aqueduct bridge at this place, the depth to which the hydraulic foundations require to be sunk, involving heavy expense in coffer dams and pumping, has an important influence in determining the span of the arches. After much examination, I have arrived at the conclusion that 80 feet span for the arches over the river, and diminishing by one of 70 and one of 60, to 50 feet span for the arches on the table land on the north side, will most effectually combine stability, permanence, symmetry and economy in the structure.

The piers for the large arches, from their great height, should be constructed hollow, in order to ensure stability, at the least expense. A greater width of pier is required to give support to the arch, and resist its horizontal thrust, than is required to bear the vertical weight of the super-incumbent mass. In ordinary cases, particularly for arches of small span, it is the usual practice to give the proper breadth of pier, by filling the interior with rubble masonry, only dressing the face stone. But in piers of great height, designed for arches of large span, this method is not advisable, for the following reasons:

The interior masonry not being dressed as well as the exterior, is liable to settle more, and eventually force the face stone to bulge outward, and injure, if it do not destroy the work. A second reason is, the tendency that a large mass of masonry has to prevent the uniform and early hardening of the cement. The piers for the arches of 50 feet span, will be much lower, and may be made solid.

For all the hydraulic foundations, it is believed rock may be obtained; but for several of the piers on the table land, it is not probable we can find rock within a reasonable distance, and an artificial foundation of concrete and piling must be resorted to. This will require an excavation of 12 to 15 feet deep in order to get the piles so low, as to prevent, in a great degree, their decay. The concrete should be filled about 3 feet deep, so as to constitute a safe foundation after the piles decay; at which time it will have become very solid.

The most difficult part of this work will be found in laying the foundation rock bare, and raising the pier above the water. All the other parts may be entered upon, and completed on well known mechanical principles. But the work of putting down coffer dams, in water averaging 25 feet deep, making the work impervious to water, and securing it against failure, from the great pressure that must act against it, involves much difficult labor, and is subject to great contingencies. Works of this kind have recently been accomplished in this country. The rail road bridge over the Schuylkill, near Philadelphia, has one of its piers on a hydraulic foundation of 29 feet deep; and the foundations of several of the piers, and one of the abutments for the Potomac Aqueduct, have been put down in 28 to 35 feet water, under the direction of Capt. Turnbull, of the U. S. Engineers, which shows the practicability of executing such works; and, at the same time, a history of their progress also shows that there is much contingency in their execution, and we are thereby admonished to make large estimates for similar work.

The plan of coffer dam which I have prepared, and from which the estimate of expense has been made, is similar, in its general principle, to that last adopted by Captain Turnbull, on the Potomac Aqueduct. It is proposed, however, to excavate the mud between the pile sheeting, and allow the clay puddle to rest immediately on the sand which appears compact; and thus remove the difficulty experienced on that work, from the soft mud being forced through, between spaces that are sometimes unavoidably left between the pile plank, and thereby causing sudden and heavy leaks. This excavation in deep water will, doubtless, be attended with much difficulty and expense; but it is important that it should be removed, and I believe it may be done by means of dredging bags, if no better mode should be devised. This process of excavation is a slow and expensive one, but has been found effectual, in several instances, in dredging the channels of rivers in England. There is another point in which the work referred to experi-

enced considerable difficulty, and which circumstances then did not admit of a similar remedy ; that is, in the great strain which the earth in the coffer dam brought upon the tie timbers on the top, and which I propose to relieve by throwing a bank of earth, in the form of a triangle, on the outside of the dam.

The masonry of the hollow piers is designed to be of large stone, uniformly thick in each course, and to be dressed to a joint, not exceeding 3-16ths of an inch in their beds, and their upper and lower beds to be parallel. The vertical joints to have a draft equally close, and the centre and rear not to exceed half an inch. In other respects, the masonry is designed to be of similar character to that proposed in my report of the 8th February last, with such modifications as the peculiar character of the work demands.

It is believed that suitable stone may be obtained in the immediate vicinity, for all the work, except the ring or exterior arch stone. The quarry has only been opened to a very limited extent ; and it is therefore possible, that it may not be found, for an extensive operation, as good as it now indicates. It is a gneiss rock, and presents more regularity of formation than is usual for its kind in this district. It has a good texture, and the appearance of great durability ; and will be hard to work, both in quarrying and dressing.

In making the estimate for masonry, I have been governed by the value of work that has *much* similarity, as the same has been estimated for contract, by several of the most competent men in this department of masonry. We have no work that is *precisely* similar—that is, of the same magnitude ; that from its elevation and inconvenience of access, will be as expensive in laying up ; that requires so great a proportion of large stone, or the same exactness of execution ; at the same time, there is sufficient resemblance to constitute a guide, that with careful application, will not lead us materially astray in computing the expense.

The arrangement for guarding against leakage and the influence of frost, is similar to that proposed in my report of the

8th February last, for the Sing Sing Bridge, with the addition of an opening in the side or parapet walls, subsequently proposed for that bridge, in my report of 31st August last. The opening in the side walls was suggested by R. F. Lord, Esq., Engineer of the Delaware and Hudson Canal Company, and I consider it a valuable improvement.

Estimate for one Coffey Dam.

5,500 cubic feet of oak timber, at 30 cents	\$1,650 00
1,000 " white pine, at 18 cents	180 00
90,000 feet, board measure, of heart yellow pine, at \$30	2,700 00
20,000 " white pine scant- ling, &c., for scaffolding, at \$16	320 00
2,000lbs. wrought iron straps, bolts and spikes, at 12 cents	240 00
Pin timber and treenails, estimated	50 00
Driving 470 feet of sheet piling, at \$2	940 00
Driving 60 guide piles, at \$3	180 00
Carpenter work and launching frame of dam, estd.	1,500 00
Excavating from interior of dam, 600 cubic yards of mud, at \$1	600 00
500 cubic yards excavation in foundation pit, at 50 cents	250 00
1,600 cubic yards puddled earth in dam, at 50 cents	800 00
Pumping during time of excavating pit, putting in lower timbers and raising the masonry above water, probably 90 days with a 20-horse en- gine, including use and repairs of engine and pumps, estimated at \$20 per day	1,800 00
	<hr/>
	\$11,210 00
Add for contingencies on account of the peculiar uncertainty of this work, 25 per cent.	2,802 00
	<hr/>
Total cost for one pier	\$14,012 00

As a portion of the timber used in one dam may be drawn up and used in a subsequent one, or may be used for other purposes, the average for the seven piers may be put down at \$13,000 each, or \$91,000 for the whole.

Having given such a description as, I trust, with the plan herewith submitted, will present a satisfactory illustration of the basis on which the computation is made, I now proceed to present a detailed estimate of the probable expense of crossing the valley, by a high bridge, maintaining the regular inclination of the aqueduct.

Estimate for High Bridge,

Maintaining uniform inclination of Aqueduct.

2,000 cubic yards excavation for foundation, at	
16 cents	320 00
500 bearing piles for foundation of land piers,	
at \$5	2,500 00
7 coffer dams, including pumping and excavation of hydraulic pits, per detailed estimate,	
at \$13,000	91,000 00
3,320 cubic yards in abutments and wings, at \$8	26,560 00
480 " concrete masonry in foundation of piers on table land, at \$6 .	2,880 00
20,550 cubic yards piers, at \$18 . .	369,900 00
3,460 " large arches, at \$30 .	103,800 00
1,090 " small arches, at \$25 .	27,250 00
Centering for 16 arches, estimated . .	30,000 00
5,480 cubic yards exterior spandrels and pilasters below water table, at \$12 . .	65,760 00
3,660 cubic yards interior ditto and hance walls, at \$6	21,960 00
11,100 cubic yards parapets, including pilasters and all other stone masonry above water table, at \$10	111,000 00
Carried forward	<hr/> \$852,930 00

Brought forward	\$852,930 00
1,060 cubic yards cut stone in water tables, parapet coping and ballustrade railing, at \$30	31,800 00
1,170 cubic yards brick facing, at \$11	12,870 00
1,320 lineal feet cast iron lining, at \$25	33,000 00
1,300 cubic yards foundation and protection wall, at \$2 50	3,250 00
2,000 cubic yards embankment, at 20 cents	400 00
115 feet of aqueduct masonry, from ends of bridge to intersection of grade level with surface of ground, at \$13	1,495 00
Total cost of High Bridge	<u>\$935,745 00</u>

The plan of carrying the aqueduct across by means of iron pipes resting on a stone bridge, has the following general character.

A semi-circular arch of 80 feet span, resting on abutment piers, which are raised 10 feet above flood tide, making the total height, from the level of flood tide to the under side of the arch, 50 feet, is placed next the southern shore of the river, to form a channel way for the same. At present the channel is about 150 feet from this shore, but the situation is favorable, and the tide current will very shortly cut a new channel, when it is restricted to a passage through this arch; and form as good a channel as the present for any purposes, should it ever be wanted. From the north abutment of this arch to the north shore of the river, it is proposed to make an embankment of stone to support the foundation wall of the aqueduct. From the south abutment pier of the main arch, there is an arcade of 3 arches, one of thirty-five, one of thirty, and one of twenty-five feet span. From the south abutment of this arcade, a foundation wall is carried up the ascent until it reaches the grade level on this side of the river. On the

north side of the river, an excavation is made through the table land, and up the slope of the hill to the grade level, in which the foundation and side walls are to be laid, to receive the pipes. The foundation wall above described as extending each way from the abutment of the arches, is designed to be formed of dry masonry, except two feet on each side, constituting the face, and two feet across the top, to form the bed for the iron pipes, which are to be laid in cement. A parapet or retaining wall is to be raised on each side to support the earth covering, which is to be four feet deep above the pipes.

Commencing on the north side at the influent pipe chamber, the preparation for the pipes descends nearly parallel to the slope of the hill, making a small angle near its base, and thence to the level adopted as the lowest, which fixes the top of foundation wall for pipes, at four feet above flood tide. This level is continued to the angle it is necessary to make to rise over the high arch, from whence an inclined plane is carried to the effluent pipe chamber on the south side of the valley.

A foundation wall is designed to form the bed of the pipes. This might, in a great degree, be dispensed with, as in ordinary cases; but in order to guard against any injury that one pipe might receive from a rupture in another, it is deemed prudent to give a solid foundation, that would resist a current of water, should an accident occur.

An influent and an effluent pipe chamber will be required; one at the termination of the aqueduct, on the north side of the valley, and the other on the south side. Into these chambers the pipes will respectively be inserted, in well wrought masonry. It is proposed to arrange the pipes in such a manner as to admit of a gate for each pipe, so placed that one may operate independently of the others; in order that any one pipe may have the water shut off, and undergo any repairs that may be required, without disturbing the regular operation of the others. The walls of the pipe chambers are to be carried up and receive a roof, to protect the chamber and gates from improper approach; and serve, at the same time, a useful pur-

pose as a receptacle of tools, and such materials for repairs, as it may be prudent to have in store. The gates are to be of cast iron, working in well fitted frames of the same material.

At some convenient place, in the lowest level of the pipes, a stop cock, to operate as a waste cock, will be required. The object of this is, to clear out any sediment that may accumulate in the bottom. It is probable very little will ever be deposited, that cannot be forced through by a current that might be made in the pipe; but the waste cocks are deemed the most certain, effectual, and convenient means of accomplishing this object. It is proposed to enclose the waste cocks in the same manner as the pipe chambers.

The width of the bridge must depend on the width required for the pipes; and this again, will depend on the diameter of the pipes. A single pipe, sufficiently large to carry the whole quantity of water, would be accommodated on the most narrow bridge. There are, however, objections to this: a single pipe would place the successful action of the aqueduct on its good condition; consequently, interruption would be involved in any necessary repairs; which it is important to avoid, by every reasonable means in our power; and very large pipes would be more liable to imperfections than smaller ones. Water pipes of cast iron have not, that I am aware of, been larger than three feet diameter. The principal iron mains, in the water works of London, are of this size; and the same are used in a part of the water works in the City of Glasgow, in Scotland. I can see no reason why this particular limit has been adopted, unless experience has decided it to be the most economical. There certainly can be nothing impracticable in going to four feet, so far as the making the casting is concerned, for experience in casting cylinders for steam engines has demonstrated this; and were there any particular necessity for this dimension, I should have no fear that it might be successfully accomplished. But in view of all the circumstances of the case under consideration, I have arrived at the conclusion, that three feet pipe will be most appropriate.

In order to economize the expense of crossing this valley by iron pipes, I have allowed two feet fall, in addition to the declivity that would be given by the regular inclination of the aqueduct. Without stopping here to explain the influence of this measure, I will merely observe, that we shall still have, at the distributing reservoir, as great an elevation as it will probably be thought expedient to maintain at that and the intermediate ground. With this declivity, four pipes, each three feet diameter, will be sufficient to discharge the same quantity as the aqueduct of masonry, on the established inclination. The comparison is as follows :

One pipe will discharge 2,000,163 cubic feet or 12,460,996 imperial gallons, in twenty-four hours—and

		<i>Imperial gal's.</i>
Four pipes	8,000,652 cubic feet =	49,843,984
Aqueduct of masonry	7,953,120 " " =	49,547,937
Excess of pipes	47,532 " " =	296,047

I have made a computation for pipes 30 inches in diameter, and find the ratio of discharge of 30 to 36 inch pipe is as 1 to 1.55; and the ratio of cost as 1 to 1.26. It therefore appears, that, (more than 6,) say 6 pipes, of 30 inches, would be required to discharge the same quantity as 4 pipes, of 36 inches. The comparative account of expense for pipes to discharge the same quantity, allowing the 36 inch only a 50 per cent. greater discharge, will be as follows :

6 pipes, 30 inches diameter, at 1	.	.	= 6.00
4 " 36 " " at say 1.25	.	.	= 5.00

Difference 1.00, or

the 30 inch pipe will cost 20 per cent. more than the 36 inch, to discharge the same quantity of water.

The bridge to support the pipes will require to be at least

6½, if not 7 feet wider for 30 inch than for 36 inch pipe, which will increase the cost \$30,000. This, added to the difference in the pipes, will make the total excess of cost for 30 inch pipe over that for 36 inch, \$54,000.

If it be inquired, why not institute a comparison for pipes of larger diameter? the answer will be found, in part, from my observations in the preceding pages; on experience at the London and Glasgow Water Works, where 3 feet seems to be the maximum size in use; and the propriety of having two pipes, as a measure of prudence, that one may supply, in the event of any repairs being required on the other. But we have four 3 feet pipes. This is true in relation to the ultimate perfection of the plan; but only two are designed to be put down in the first instance, as they will probably be sufficient for the next fifty years; and the additional ones may be laid down whenever the wants of the city shall demand them.

Estimate for an Influent Pipe Chamber.

110 cubic yards concrete and rubble masonry in foundation, at \$6	\$ 660 00	
70 cubic yards cut stone masonry in flagging, jambs, lintels to gates, and pipe apertures, at \$33	2,310 00	
180 cubic yards side, spandrel, and retaining walls, at \$12	2,160 00	
15 cubic yards arch stone, at \$20	300 00	
95 " " masonry in house walls, at \$7	665 00	
Roofing, doors, and windows of house, estimated	300 00	
		<hr/>
		\$6,395 00
4,200lbs. iron castings, for gate frames and gates fitted up complete, at 8 cents	\$336 00	
		<hr/>
Carried over,	\$336 00	\$6,395 00

Brought over,	\$336 00	\$6,395 00
200lbs. wrought iron, in screw rods, screw bolts, and wrench, complete, at 25 cents	50 00	
100lbs. wrought iron clamps, for se- curing coping and jambs, at 12 cents	12 00	
1,200lbs. lead, for fastening clamps and making joint between mouth of pipe and masonry, at 9 cents . . .	108 00	
14,400lbs. iron castings, in wall pipes, at 5 cents	720 00	
Workmanship in putting down pipes and hanging gates	200 00	
	<hr/>	\$1,426 00
		<hr/>
		\$7,821 00
		<hr/>

The plan of influent and effluent pipe chamber will be similar; consequently, the estimate will be the same for each.

By a letter from F. Graff, Esq., of Philadelphia, I have been furnished with a statement of the cost of iron pipes, at different times, in that city; from which it appears, the ordinary size pipe has cost from \$50 to \$65 per ton. And Mr. Graff gives it as his opinion, that pipes, 3 feet in diameter, may be furnished at from \$70 to \$75 per ton. But, in order to be safe, I have put this item at 4 cents per pound, in the estimate.

It is proposed to make the metal of the pipes one inch in thickness; except at the hubb, which is to be 1.75 inches. As less than one-third of an inch is competent to bear, permanently, the pressure of water on the pipes, an inch may be considered abundantly safe; and this thickness will ensure a perfect casting.

The pipes are usually cast 9 feet long. The lap, for pipes

of this size, may be 7 inches; leaving the length each piece of pipe will make, when laid down, 8.42 feet. A piece of pipe will contain 13,479.21 cubic inches $\times .27 = 3,639$ lbs. equal 432 lbs. per foot run of pipe laid.

Estimate of Expense for one foot of Pipe laid down.

432lbs. castings, at 4 cents	\$17 28
200lbs. lead for one joint, at 9 cents, . .	\$18 00
Yarn, tallow, &c., estimated at	1 00
Labor laying down and making joint . .	5 00
Transportation	3 00
	<hr/>
	\$27 00 = 3 20
	<hr/>
	\$20 48
	<hr/>

General Estimate for plan by Pipes.

1,800 cubic yards rock excavation, at \$1 50	\$ 2,700 00
10,590 cubic yards earth excavation, at 14 cents	1,482 00
	<hr/>
	\$ 4,182 00
25,000 cubic yards stone embankment, at \$2 00	50,000 00
800 " " slope wall, at \$2 50	2,000 00
950 " " main foundation wall, laid in cement, rough hammered, at \$7 00 . .	6,650 00
6,500 cubic yards main foundation wall, laid dry, in interior, at \$2 50	16,250 00
720 cubic yards side walls, north side of river, at \$6 00	4,320 00
1,400 cubic yards side and parapet walls, from north side of river to angle, at \$7 00 . .	9,800 00
	<hr/>
Carried over,	\$ 93,202 00

	Brought over,	\$ 93,202 00
980	700 cubic yards parapet wall, from angle in river to pilaster of main arch, at \$8 00	5,600 00
	280 cubic yards parapet wall, between south pilaster and south shore, at \$8 00	2,240 00
3,000	2,200 cubic yards wall for foundation of pipe, exclusive of that over the arches, at \$6 00	13,200 00
	800 cubic yards wall for foundation of pipe, over arch and between pilasters, at \$6 00	4,800 00
		<hr/>
		\$119,042 00
Main arch, 521 cubic yards, at		
	\$30 00	\$15,630 00
Three small arches, 391 cubic yards, at \$25 00		
		9,775 00
Abutment and pier of main arch = 2,250		
Abutments for small arches = 1,088		
<hr/>		
	3,338 .	
	cubic yards, at \$12 00	40,056 00
Exterior spandrels to main arch, =		
	800 cubic yards, at \$10 00	8,000 00
Spandrel walls, solid for small arches, 832 cubic yards, at		
	\$6 00	4,992 00
Hance wall for main arch, 500 cubic yards, at \$7 00		
		3,500 00
Pilasters, 230 cubic yards, at \$12		2,760 00
Parapets, exclusive of coping and water table, 680 cubic yards, at \$12 00		
		8,160 00
		<hr/>
Carried forward,		\$92,873 00 \$119,042 00

Brought forward,	\$92,873 00	\$119,042 00
Water table and coping, 250 cubic yards, at \$30 00 . . .	7,500 00	
Coffer dam, including excavation and pumping; based on a detailed estimate for <i>high</i> bridge, being larger and more expensive by about fifty per cent.	22,000 00	
Centering for arches	3,500 00	
Earth covering, 5,500 cubic yards, at 30 cents	1,650 00	
Earth covering, 9,000 cubic yards, at 15 cents	1,350 00	
	<hr/>	128,873 00
Total for bridge	\$247,915 00	
Two pipe chambers, as per detailed estimate, at \$7,821 00	15,642 00	
Waste cocks, and house over them, estimated, .	2,500 00	
1,480 feet of pipe, as per detailed estimate, at \$20 48 = 30,310 40 \times 4 pipes . . .	121,241 00	
	<hr/>	\$387,298 00
As this work is, in some parts, liable to greater contingent expenses than usual; and also extra superintendence, I have considered it proper to add ten per cent. on the whole; which is independent of the ten per cent. to be allowed in the general estimate, for contingencies and superintendence . . .	38,729 00	
Making the total cost by pipes	<hr/>	<u>\$426,027 00</u>

The estimates for the two methods are now ready for comparison.

High bridge, maintaining the established inclination over the valley	\$935,745 00
Pipes, supported on a low bridge	426,027 00
	<hr/>
Excess of high bridge =	\$509,718 00
	<hr/> <hr/>

No allowance has been made for the loss of two feet elevation by the pipes. It is not believed, however, that this would make any material difference, excepting for about four miles north of Harlaem River, where it might be expedient to lower the grade a few feet; which would not produce any important difference. But in order that the estimate should not be presented in a manner to do injustice to the high bridge, nothing has been added for contingencies; which, I believe, from a careful review of the estimates, is quite as much required for this as for the plan by pipes.

It appears the plan by pipes has largely the superiority in point of economy. In my opinion, it will be fully as efficient. The pipes will decay, by the action of time, more rapidly than stone masonry; especially, if the masonry can be kept from injury by frost. But as only two, or half the pipes, are required to be put down at present, it may be assumed, that if the \$66,000, saved by this, is invested at five per cent., it will produce a sum that will forever maintain the pipes, to the full extent that may be wanted. The high bridge will be more exposed to casualties that may, at some future period, seriously interfere with the successful operation of the aqueduct. It is, however, greatly superior, in point of architectural magnificence, and maintains two feet greater elevation. These are the only points of superiority I have been able to discover, and can therefore have no hesitation in recommending the plan by pipes as decidedly the most appropriate.

Respectfully submitted.

JOHN B. JERVIS,

Chief Engineer, N. Y. W. W.

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REPORT

In relation to the Location of the Line of the Croton Aqueduct, from Harlaem River to the Reservoirs, embracing a general estimate of the cost of the Aqueduct and Reservoir.

NEW YORK, 27TH DECEMBER, 1837.

To the Honorable the Board of Water Commissioners of the City of New York.

GENTLEMEN,

After crossing Harlaem River, the line of the aqueduct strikes the high ground, that ranges from near the mansion of Mrs. Jumell, to about a mile northerly from the point where the line first reaches it on the south shore of the river. The line of aqueduct is laid along on the slope face of this high ground, a distance of 4300 feet, and crosses a deep ravine a short distance southerly from Mrs. Jumell's house. Continuing on, the line crosses the Kingsbridge road, and passes in the rear of Messrs. Conner & Carman's barn, and enters the 10th avenue at 151st street, a distance of 2135 feet from Jumell's ravine, or from the starting point on the south bank of Harlaem River 6435 feet, nearly $1\frac{1}{2}$ mile.

The sloping face of the high ground on which the line is located, is generally very steep, and presents a rocky and irregular surface. At one point a tunnel of about 200 feet in length is designed, to avoid the sinuosities involved in pursuing the most desirable level. The line along this hill will be expensive, but it has the advantage of affording a rock foundation, on which the aqueduct may rest with safety, notwithstanding the precipitous character of the ground. On the south bank of Jumell's ravine, the cutting is heavy, from which it is gradually reduced to a favorable depth, to near the crossing of the Kingsbridge road, where it is rather less than is desired. Immediately after crossing the road, a deep cutting of about 20 feet is encountered in crossing the point of a ridge on which Messrs. Conner and Carman's barn stands. A line with more favorable cutting may be had, by crossing the ridge in front of said barn; but this would run between the house and barn, and would not be as favorable in crossing the Kingsbridge road or entering the 10th avenue.

It has been in contemplation to present for the consideration of the Board, a line diverging from the one above described, on the north side of Jumell's ravine, and entering the 10th avenue at 154th street. A tunnel would be required that would render this line considerably more expensive. There has not been time to make a comparative estimate but it can be done at a future time, should it be thought advisable. The only essential advantage it presents is, that it enters the 10th avenue, at a higher point; and it can hardly be said there is a prospect of finding sufficient advantage in this respect, to compensate for the extra expense.

The line is continued from the point where it first enters, down the 10th avenue, a distance of 4610 feet to 133d street, which is on the brow of the hill north of Manhattan Valley. At the point where the line enters the 10th avenue, it encounters a piece of low ground that soon becomes marshy, and falls to four feet below grade level. It extends to near 148th street. This ground, although wet and marshy, has a summit in the

10th avenue having a descent each way from it, and there is therefore, no way of finding more favorable ground than we have in the avenue. After passing this marsh the ground in the avenue may be considered as quite favorable, with the exception of too great an elevation, for about 1400 feet, 1200 of which will require tunnelling. This is a ridge running longitudinally with the avenue, and may be avoided by a line parallel with, and 125 feet easterly from it. The leading object in favor of keeping the avenue, and encountering the extra expense of about \$30,000 is, to avoid as far as practicable, interference with private property; the curves and diagonal lines will be avoided, and, consequently, the line in the avenue will be more direct; in other respects the two routes will be equally advantageous; and should the Board be of the opinion that the line in the avenue has not sufficient advantages to compensate for the extra expense, it may readily be changed.

As before observed, the line is now brought to the brow of the hill forming the north boundary of Manhattan Valley.

Manhattan Valley.

This valley has been considered as presenting one of the most formidable obstacles in point of expense, on the line of the aqueduct, and it has therefore been deemed important to have such levels and profiles made as would present a complete view of it. This has been done by taking levels of the avenues and streets, and laying the whole down on the same sheet which is herewith exhibited.

An aqueduct bridge had been contemplated, and is the only means by which the regular inclination of the aqueduct could be maintained. The first object, therefore, was to find the most favorable location for a bridge. In this examination, three different routes have been estimated. In the order of economy in the cost of construction, they may be designated, first, as the diagonal line, running from 128th street in the 9th avenue, to between 118th and 119th streets, in the 10th avenue. This line diverges from the 10th avenue, near 140th street,

and crosses into the 9th avenue at 133d street, running easterly of and near Mr. Lorillard's house. The second line runs across the valley parallel with the 10th avenue, and 125 feet easterly from it, intersecting the avenue at each extremity of the valley. The third line continues through the centre of the 10th avenue.

The computations to obtain the expense of each line, have been made with reference to the construction of a series of arches, commencing on each side of the valley at the points where the natural surface of the ground is 30 feet below grade; thence to grade level it was designed to construct the foundation wall an extra width, and carry it to the level of the spring of the upper arch of aqueduct, and then cover the aqueduct with earth. The wall to be laid dry, except two feet of the outsides, which was designed to be laid in quick lime and sand mortar, and pointed with cement. The reason for proposing this enlargement of the usual foundation wall, was the difficulty of obtaining earth for the side embankment, the grounds at a suitable elevation being mostly very rocky.

It had been my intention to present a complete drawing of a bridge adapted to this valley; but other duties have compelled me to defer it for the present.

For purposes of computation, a plan may be considered essential to accuracy; but this bridge will be so analagous to that part of the Harlaem River Bridge, which occupies the table ground, that we may obtain, by a careful modification to the peculiar circumstances of the location, an approximation sufficiently accurate for comparason and general estimate. The design contemplated is a series of semi-circular arches of 50 feet span, resting on piers 8 feet thick at the spring of the arches. Some modification in the span of the arches will be required to accommodate the streets, but as this will not materially affect the aggregate estimate, it will be considered at this time only, as it affects the skew arches on the diagonal route.

The distance from grade to grade on the several lines is as follows:

First line (diagonal)	3,300 feet.
Second line (125 feet east of 10th avenue)	3,700 "
Third line (in 10th avenue)	3,700 "

Length of bridge between points, 30 feet below grade level.

First line (shortest line across the valley)	1,900 feet.
Second line	2,640 "
Third line	2,960 "

Elevation of Bridge.

First line averages 74 feet below grade level.

Second	"	73	"	"
Third	"	70	"	"

The maximum elevation is about the same, or 103 feet from the surface of the ground to grade level, and 116 feet to the top of the parapets on each of the lines.

On the basis before explained, with the exception of skew arches, for the diagonal line, the estimate will be the same per foot run, for the work above the spring of the arches. An estimate therefore above the spring, and including one arch, and the breadth of one pier, making 58 feet of aqueduct, will be common to all the bridges, and for which I have prepared the following

ESTIMATE.

Centering for one arch, estimated	\$1,000
170 cubic yards of masonry in arch, at \$25	4,250
115 " " ditto exterior spandrel, at \$12	1,380
136 " " ditto interior ditto and haunch walls, at \$6	816
470 cubic yards ditto parapets, including all stone masonry above water table, at \$10	4,700
40 cubic yards coping and water table, at \$30	1,200
37 " " pilasters, at \$12	444
7 " " balustrade, at \$40	280

Carried forward . \$14,070

Brought forward	.	.	\$14,070
51 cubic yards of brick lining, at \$11	.	.	561
53 lineal feet cast iron lining, at \$25	.	.	1,450
			<hr/>
			\$16,081

$16,081 \div 58 = 277$ dollars per lineal foot of aqueduct.

Piers.

It is not probable they can generally be founded on rock. A foundation of concrete 3 feet thick, with bearing piles, will therefore be estimated for. In some parts of the valley the ground is loose, and will require an excavation below the surface to secure the requisite stability. An average of 8 feet is considered proper for this object, 5 of which will be pier masonry, and 3 concrete foundation.

Estimate for pier of average height on first line—(diagonal—
by Lorillard's.)

70 bearing piles at \$4	.	.	.	.	.	\$280	
80 cubic yards concrete at \$6	.	.	.	.	.	480—	760
741 " " masonry in pier at \$14	.	.	.	.	.		10,374
							<hr/>
							\$11,134

$11,134 \div 58 = 191$ dollars per lineal foot of aqueduct.

The cost of aqueduct and bridge, per lineal foot, will be,
 Piers and foundation \$191
 Above spring of arches \$277—\$468

Total estimate for first line.

1,900 feet of bridge and aqueduct at \$468	.	.	\$889,200
Add, for 7 skew arches for streets	.	.	14,000
1,400 feet at ends of bridge, averaging 14 feet below grade, estimated to cost \$57 per foot	.	.	79,800
			<hr/>
			\$983,000

Estimate for Pier of average height on second line,
(125 feet east of 10th avenue.)

Piling and concrete for foundation as above	\$	760
725 cubic yards in pier at \$14		10,150
		<u>\$10,910</u>

$10,910 \div 58 = 188$ dol's. per lineal foot of aqueduct.

Above spring of arch = 277 " " "

Total cost 465 " " "

Total estimate for second line.

2,640 feet of bridge and aqueduct at \$465	\$1,227,600
1,040 feet at ends of bridge, averaging 14 feet below grade, estimated to cost \$57 per lineal foot	59,280
	<u>\$1,286,880</u>

Estimate for pier of average height on third line, (10th avenue)

Piling and concrete for foundation, as per first line	\$	760
680 cubic yards in pier, at \$14		9,520
		<u>\$ 10,280</u>

$10,280 \div 58 = 177$ dollars per lineal foot of aqueduct.

Above spring of arch = 277 " " " "

Total cost . . = 454 " " " "

Total Estimate for third Line.

2,960 feet of bridge and aqueduct, at \$454	\$1,343,840
740 feet at ends of bridge, averaging 14 feet below grade, estimated to cost per foot \$57	42,180
	<u><u>\$1,386,020</u></u>

Recapitulation of Estimates.

First line, (diagonal)	\$ 983,000
Second line, (125 feet east of 10th avenue)	\$1,286,880
Third line, (by 10th avenue)	<u>\$1,386,020</u>

The amount of the estimates for bridges on the several lines, and particularly that for the shortest line, has led me to scrutinize the method by which the result was obtained.

The general design on which the computation has been made, as before mentioned, corresponds with a part of the plan proposed for Harlaem River Bridge, having arches of 50 feet span. The work is proposed, (with the exception of the brick lining,) to be composed of plain masonry, formed of stone for the essential parts, that are large, and dressed to regular courses; with joints brought close as may with the pick, points, and stone axe, or bush hammer; but not required to be wrought with finer tool. The interior, and work not exposed to particular strain, to be either well or rough hammered, as its situation may require. It is believed that work of an inferior character should not be adopted in a structure that, from its magnitude; from the embarrassment that would be involved in suspending its operations for the purpose of repairs, so peculiarly demands stability and permanence in its construction.

From the numerous propositions that have been received from intelligent builders in this department of work, and the contracts entered into for the 1st and 2d divisions of the aqueduct, there does not appear any reasonable ground to expect the work will be accomplished at lower prices than those on which the estimates have been formed. I am therefore constrained to adopt the preceding estimates, in the belief that they will be required to accomplish the work on the respective lines.

In view of the heavy expense that will be required to maintain the regular inclination over this valley, by an aqueduct

bridge, it is deemed proper to institute an inquiry into the propriety and expense of crossing by iron pipes.

To adopt 3 feet iron pipes, on a plan to maintain the full capacity of the aqueduct, without more fall than is included in the regular inclination, would involve an expense nearly as great as that for an aqueduct bridge in the 10th avenue; provided the whole number of pipes were put down in the first instance. This would be maintaining the elevation of the water at great expense, and I have therefore prepared estimates for pipes having three feet, and also two feet extra fall in crossing the valley.

A question arises in connection with the expense of crossing the valley by iron pipes, whether it is necessary to provide for the entire capacity of the aqueduct.

If the districts about Manhattanville and Harlem, are to look to the Croton Aqueduct for a supply of water, the most proper and convenient arrangement for this object, will be a distributing reservoir on the high ground, forming the northern border of the valley. From this reservoir, or one further north, the greatest part of the district above 100th street, and easterly of the 8th avenue, and the whole island above 120th street may be supplied. From an examination of the plot of the city it appears, on the supposition that it contains 300,000 inhabitants below 14th street, a population of 1,000,000 of similar density, would extend to about 100th street, and 1,200,000 to about 115th street. But the supply for the greatest part of the district above 100th street, and east of the 8th avenue may, as before observed, most conveniently be had from the proposed Manhattan Reservoir; and 106th street may therefore be considered the average northern line of the district receiving supply from the main trunk below Manhattan Valley. On this hypothesis, the city, south of 106th street, may contain about 1,100,000 inhabitants. Whether the population of the city will be more or less dense, as it extends north, cannot now be determined. I suppose, however, it may be considered as taking the safe side of the ques-

tion, for our present purpose, to assume this district as sufficient to contain 1,250,000 people. In view of the easy improvement of the ground, and the facility of intercourse afforded by the rail road, I think it may also be assumed, that the district about Harlem will become quite dense, before a population of 1,250,000 will be numbered below 106th street. To provide 20 imperial gallons per day for each inhabitant, 1,250,000 will require 25,000,000 gallons. But as the case should be regarded in a liberal view, give 30 gallons for each inhabitant, and 37,500,000 gallons will be required.

While the quantity required to cross Manhattan Valley by the main trunk, may not exceed the above statement, it is proper to keep in view the means of increasing this quantity, should it ultimately be wanted. I have therefore designed an arrangement, and made an estimate of the expense, that will be adequate to carry this quantity from the north side of Manhattan Valley to the receiving reservoir; and which will admit, should it be found expedient at a future day, an enlargement essentially, up to the whole capacity of the aqueduct.

The method I have in view for this, is, to provide in the first place, capacity in the pipes across the valley, to discharge not less than the largest quantity above stated; then to regain, in part, the elevation we lose by using pipes across the valley, by reducing the declivity in the aqueduct from the effluent pipe chamber to the receiving reservoir, from $13\frac{1}{2}$ inches to 9 inches per mile. This section of aqueduct is about 2 miles in length. With this declivity, the aqueduct will discharge about 40 millions imperial gallons per day. If, as before intimated, a larger quantity should be wanted, the capacity of the aqueduct may be increased to near its greatest limit, by lowering the reservoir 8 inches, and thereby restoring its established inclination. It is therefore obvious we incur no hazard of moment, from reducing the declivity on this section. The pipes across the valley may be increased at pleasure, being merely a question of expense.

That the Board may see at once the influence of the question

of elevation, I will state the arrangement proposed, and its results at the reservoirs.

If we allow the pipes 3 feet extra fall, or declivity, in passing the valley, and then the aqueduct of masonry to have 9 inches per mile to the receiving reservoir, the top water line at this reservoir will be 119 feet above mean tide. If two feet extra declivity is allowed for the valley, we shall have 120 feet above mean tide for the top water line. I consider 4 feet as an adequate difference between the top water lines of the receiving and distributing reservoirs. This will leave the top water line of the distributing reservoir 115 feet in one case, and 116 feet in the other, above mean tide. It is proper here to remark, that I do not consider 4 feet head on the connecting pipes between the reservoirs, as at all times adequate. But that I consider it sufficient during cold weather, and generally in the winter season, and therefore the proper difference in elevation to establish us the top water line of the distributing reservoir. During the summer season, in times of the greatest consumption, the difference or head on the pipes will be often 8 feet, reducing the elevation to 111 and 112 feet respectively above mean tide.

Four 3 feet pipes, under an extra head of 3 feet, will discharge 38 million gallons in 24 hours; and five 3 feet pipes under an extra head of 2 feet, will discharge 39 million gallons.

In estimating for the pipes I propose to grade the avenue sufficiently wide for the purpose of laying and protecting them, at a grade of 1 to 16 on the north side of the valley, and 1 to 17 on the south side. The latter very nearly corresponds with the general surface of the ground, but the former will require heavy cutting and filling.

As the wants of the city will not require that all the pipes be laid down in the first instance, an estimate will be presented, providing for all expense, except the pipes and laying down; and also providing for so many pipes as are considered proper to meet the demand for some years to come; and including a

sum that, invested at five per cent. per annum, will produce a fund to lay the deferred pipes as they may be wanted. In the estimate, it is assumed as sufficiently accurate, that such investment would double the principal in 15 years. It is obvious such an investment would involve no expense in its management.

In making the estimate for four pipes, I have supposed an average time in putting down the remaining pipes, of 60 years would elapse before the wants of the city will require the full operation of the aqueduct. Two pipes are proposed to be put down in the first instance, which will furnish 19 million gallons. In that for five pipes, I have taken an average time for putting down the remaining pipes, of 45 years. The reason for this difference in the average time of putting down the remainder is, that only the same number of pipes, affording 15½ million gallons, are proposed to be put down in the first instance; therefore the work of putting down additional pipe must be commenced at an earlier day, and make the average for the whole time less.

Estimate for 4 pipes, each 3 feet diameter.

Foundation, Grading and Covering as follows:

20,200 cubic yards of excavation at 15	
cents	\$3,030
6,300 cubic yards rock at \$1 . . .	6,300
18,000 " " foundation wall, dry	
at \$2 50	45,000
24,500 cubic yards embankment at 20	
cents	4,900
28,000 cubic yards earth covering at	
30 cents	8,400
Culvert under pipes in bottom of valley,	
estimated	3,000
<hr/>	
Carried forward . . .	\$70,630

Brought forward . . .	\$70,630	
Culvert channel in avenue to carry water from waste weir above pipe cham- ber, estimated	20,500	
3,500 cubic yards cemented masonry, for foundation of pipes, at \$6 . . .	21,000	
		<u>\$112,130</u>
15,600 feet of iron pipe, as per estimate for Harlaem River, at \$20 48	319,488	
Influent and effluent pipe chambers, estimated as $\frac{1}{4}$ more expensive than those for Harlaem River	19,552	
Stop cocks for waste, same as for Harlaem River pipes	2,500	
Total for 4 pipes, all laid . . .		<u><u>\$453,670</u></u>

As before observed, 2 pipes under 3 feet extra head, will furnish 19,000,000 gallons per day. This will supply a population of 650,000 with (near) 30 gallons each. We may therefore base the estimate, as before intimated, on laying down only two pipes in the first instance; the estimate will then be as follows:

Estimate for four pipes—only two laid down in the first instance.	
Total estimate as above	\$453,670
From which deduct as follows:	
2 pipes, leaving all other work as completed in the first instance	\$159,744
From which deduct as before mentioned an investment that will produce the above sum, as it may be wanted to lay the remaining pipes	10,000— 149,744
Total estimate for 4 pipes, 2 laid in the first instance	<u>\$303,926</u>

Estimate for 5 pipes—each 3 feet diameter.

For foundation, grading and covering, add $\frac{1}{4}$ th to	
the estimate for 4 pipes	\$130,818
19,500 feet of pipe at \$20 48	399,360
Influent and effluent reservoirs are estimated to be	
$\frac{1}{4}$ th more expensive than for 4 pipes	22,810
Waste cocks, as per rate estimated for Harlaem	
River	3,000
	<hr/>
Total for 5 pipes, all laid	\$555,988

Estimate for 5 pipes—only 2 laid down in the first instance.

Total estimate as above	\$555,988
From which deduct as follows :	
3 pipes, leaving all other work as com-	
pleted in the first instance	239,616
From which deduct as before mentioned,	
an investment that will produce the	
above sum, as it may be wanted to	
lay the remaining pipes	30,000— 209,616
	<hr/>
Total for 5 pipes (two laid in first instance)	\$346,372

It has been shown, there is, at least, a strong probability that the main trunk will not require a capacity of more than 38 million gallons below Manhattan Valley; and if the district embracing Manhattanville and Harlaem, is to receive its supply from this aqueduct, it is obvious that no great increase of this quantity need be provided for, in the work across the valley. But as some objection may possibly arise against this view of the subject, I shall present the comparison of estimates, on the basis of 5 pipes, with an extra head of 3 feet, which will have a capacity nearly equal to the aqueduct above Manhattanville.

If it should be desired to make an equal provision in the

capacity of the aqueduct, with only 2 feet extra fall, it may be accomplished by 6 pipes.

Estimate for 6 pipes, two laid in the first instance:

Estimate for 6 pipes, all laid, is found to be . . . \$656,360

From which deduct as follows :

4 pipes, having all other work completed \$319,488

From which deduct investment that will

produce the above sum, as it may

be wanted (say an average of 45

years) to lay the remaining pipes 40,000— 279,488

Total for 6 pipes (2 laid in first instance) \$376,872

The question whether two or three feet extra fall should be given in passing Manhattan Valley, is affected by the elevation of the country below, and the influence this depression will have on the remaining works. In relation to this it may be remarked, that after we pass the Asylum ridge, the country generally is quite too low for the most economical construction of the work, until we come near the receiving reservoir at 86th street. We have not had time to prepare a comparative estimate for the different elevation of the grades; but it is supposed one foot will make about \$10,000 difference in the expense between Manhattan Valley and the reservoir, independent of any influence it may have on the streets and avenues. It may also be remarked, that it is important to carry the aqueduct over this district, at an elevation that will allow as many of the streets and avenues to pass over it (rather than under) as practicable.

In view of the fact, that after allowing 4 feet difference between the elevation of the receiving and distributing reservoirs, we come to the location of the latter on Murray Hill, at an average elevation of 31 feet above the natural surface of

the ground, and about 40 feet above the established grade of the streets and avenues at this place; and also in view of the preceding estimates and remarks, I have arrived at the conclusion that an extra fall of 3 feet may be allowed with propriety, in crossing this valley. I have deemed it proper, however, to present the different estimates, that the Board may judge of the propriety of confirming my views, or of adopting such modification of them as they may, in full view of the case, think proper.

FIRST COMPARISON.

		Pipes less by
The estimate for 5 pipes, all laid down		
in the first instance, is . . .	\$555,989	
Estimate for the bridge on the first line		
(diagonal)	983,000	\$427,012
Do. second (near 10th avenue) . . .	1,286,880	730,892
Do. third (10th avenue)	1,386,020	830,032

SECOND COMPARISON.

The estimate for 5 pipes, 2 laid in the		
first instance, and the remainder, as		
the wants of the city require . . .	\$346,372	
Estimate for bridge on first (diagonal)		
line	983,000	\$636,628
Do. second line (near 10th avenue) . . .	1,286,880	940,508
Do. third (10th avenue)	1,386,020	1,039,648

The last table of comparison is strictly the proper one, as there would be an obvious want of economy in putting down, in the first instance, the whole number of pipes required for the ultimate demands.

Economy appears strongly in favor of the use of pipes, as the means of carrying the aqueduct across Manhattan Valley; and should the plan of allowing only 2 feet extra fall be compared with the most economical bridge line, it will appear

more than \$600,000 in favor of pipes. No objection can be urged against pipes, in regard to their entire efficiency to accomplish the object of the aqueduct, unless it be raised on the ground of elevation. In view of the circumstances before mentioned, this objection in a great measure loses its force, and comes to the question with an influence quite too feeble to remove the great load of extra expense. Stone masonry may be viewed as more durable than iron. This would doubtless be true, if we could prevent the influence of frost. It is true the estimate provides, with great care, the means of guarding against its action; at the same time the severity of our climate is such, as should admonish us not to adopt aqueduct bridges of masonry, where there are reasonable facilities of obtaining the object by other methods. My views on this subject have been so fully expressed in my report of 8th February last, that I do not consider it necessary to say more at this time. In regard to the durability of pipes in this situation, I have not been able to obtain much information. Their use is of too modern origin to afford much light from experience. In a work recently published in London, giving an account of the London and other Water Works, entitled "Hydraulia," the author remarks, on the durability of cast iron pipes, "circumstances have occurred satisfactorily demonstrating, that when iron pipes are made of adequate strength, and properly laid in the ground, they will continue to perform their functions, and remain sound for upwards of a century." There can be no question of the superior durability of an aqueduct of masonry in a situation protected from frost, particularly if covered by a sufficient embankment of earth. But I am, at the same time, of the opinion, there is ground to seriously question, whether pipes could not be as economically maintained, if not more so, than a bridge at the great elevation required.

The wish that has been expressed by many citizens, that the established inclination of the aqueduct should be maintained across this valley, on a bridge of substantial masonry, that

would do credit to the architectural taste and enterprise of the city, has led me to a careful examination of the subject. It would afford me great pleasure to be instrumental in the erection of such a work, could I see it demanded by substantial considerations of usefulness; and it is therefore with regret, that I find the circumstances such, as to constrain me to adopt the conclusion, that I should not only recommend iron pipes, but recommend them as decidedly the most appropriate means of crossing the valley.

If Harlaem River and Manhattan Valley are to be crossed by iron pipes, the question may be raised, why not use pipes for the entire distance between Harlaem River and the receiving reservoir? The answer to this is, that an aqueduct of masonry on the intervening ground, will be much more economical than iron pipes, unless we sacrifice more elevation, than is consistent with the extent of usefulness, that it has hitherto been deemed important to obtain.

After crossing Manhattan Valley, the line continues in the 10th avenue to between 108th and 107th streets, and then runs diagonally to 104th street, which it strikes at a point 125 feet west of the 9th avenue; thence in a line parallel with the avenue to the centre, between 90th and 89th streets; thence by a curve line, crossing 9th avenue and meeting 85th street in the 8th avenue; and thence through 85th street to the western line of the receiving reservoir on the 7th avenue. The curves and diagonal lines are objectionable, as interfering with the city arrangement of streets and lots; but it is necessary to carry the line to the receiving reservoir on the 7th avenue, which involves the necessity of cutting some portion of the plot in an oblique direction; and it is supposed to be less objectionable to do this where the ground may be filled over the aqueduct, than where it would be elevated so high as to require the streets to pass under it. The line could be continued down the 10th avenue, about half a mile further than its point of departure at 107th street; but to reach the reservoir

it would still have curving and diagonal lines, equally or more objectionable than these above described. The propriety of such continuation in the avenue, must therefore depend on other considerations. The ground we encounter in the avenue is not as low as some we find in the line proposed; but the low ground is longer, requiring a greater extent of bridge work for the crossing of streets, and other work, not as safe as when the masonry can be executed in the usual way, and protected by earth, both on its top and sides. It did not, moreover, appear desirable to continue the work in the avenue, where it could not be expected to be raised, and where the aqueduct must be elevated from 12 to 40 feet in its centre.

In passing Asylum Ridge, a tunnel of about 650 feet will be required. After leaving the ridge the ground is generally low, until it leaves the avenue at 107th street, from whence it rises and becomes more favorable through the diagonal line and on to 102d street. From this point the ground falls, and at 99th street it is 35 feet below the grade level; from whence it rises to near grade at 95th street; thence to the intersection of 7th avenue, it is undulating, in some places above, and at others below grade.

From the point where the line enters the 10th avenue, to where it reaches 102d street, it is important that the grade of the avenue and the streets it passes, should be such as will pass over the aqueduct and allow the work to be covered up, and thus effectually protected. The relative elevation of the ground and the aqueduct, will admit of this being done, without serious difficulty or expense. It is believed this arrangement will be far more convenient for the general use of the avenue and streets, than to pass them under the aqueduct.

Between 102d and 95th streets the low ground will require bridges to pass the streets under the aqueduct. A plan for this low ground has been prepared, which in its outline may be explained as follows: at the streets, large and small arches are designed to accommodate the carriageway and sidewalks

in the usual order. This part of the structure is proposed to be made of substantial stone masonry, in the manner designed for other bridges. Between the streets the usual foundation wall is proposed to be widened, so as to bring it 28 feet wide at grade line, instead of 12 feet, and be carried up each side of the aqueduct walls to 2 feet above the spring of the upper arch, from whence the aqueduct would have an earth covering, protected by a rampering of turf. This method is adopted between the streets, in consequence of the difficulty of obtaining earth for embankment, to save ground, and as more in accordance with the bridges that occur at the streets, than an embankment, and more safe from deterioration, and more economical, than a continuation of bridge work from street to street. While this method is proposed for the work between the streets it is very possible a more full examination may show economy in some variation from it, which will be attended to before making contract. It is proposed to lay the exterior of this wall, for two feet each side, in good quick lime mortar, and the remainder dry.

From 95th street to the receiving reservoir, it is important to have the grade of the streets and avenues established, with a view to pass over the aqueduct. The only serious objection to this, is the low ground at and near 86th street, which it is proposed to fill up with the earth taken from the reservoir, which may be spared for this purpose. After leaving the straight line near 89th street, the curve crosses the 9th avenue and streets so very obliquely, until it reaches the straight line at the junction of 85th street and 8th avenue, that it will be expensive constructing skew bridges, so as to pass the streets conveniently under the aqueduct; and it will be so low as to render it difficult to arrange some of the streets, and the 9th avenue at that place, to pass under, and still afford proper drainage. It appears to me, the interest of both the aqueduct and ground in this vicinity, will be best consulted by carrying the grade over the former. We have a large surplus excava-

tion in the receiving reservoir, from which we propose to obtain earth to raise the avenue and streets sufficient for this object, should the Corporation authorise the arrangement.

Reservoirs.

Two reservoirs, a receiving and distributing, have been contemplated, as necessary to the effective operation and usefulness of the aqueduct. A distributing reservoir has been spoken of at Hamilton square, and also a receiving and distributing reservoir at or near Manhattanville. They will, doubtless, both be ultimately wanted; but as they will not probably be made in the first instance, I have not made any estimate for them. A location had been designed for a receiving reservoir between the 6th and 7th avenues, and 79th and 86th streets. I have not seen any thing that induces me to believe as good a location for this purpose can be had elsewhere. The ground is, in some parts, higher than is desirable, requiring heavy excavation; in other respects, to wit, the facility afforded by low grounds on two sides, to insert pipes for taking off the water, either for use or waste, is highly favorable. The ground appears very impervious to water. Some progress has been made in sinking shafts, which indicate the probability that though there is much rock, the great body of the excavation will be earth. It is a favorable feature, that while rock appears on the surface in several parts, the deepest excavation, as ascertained by the shafts, will be principally earth.

I have not been able to mature and prepare definite plans of the reservoirs, and shall only be able to explain, at this time, the outline, leaving much important and interesting detail for a future communication.

In relation to the construction of the receiving reservoir, it is proposed as follows: to divide the reservoir into two parts; the northern section, which has the great body of excavation, to contain 4 blocks of ground, and the southern section to con-

tain 3 blocks. The northern section is designed for 20 feet, and the southern 25 feet water. An embankment to form the boundary and sustain the water of the reservoir; which is to be made impervious by a puddle wall, properly carried up in its centre, and the outside supported by a slope or protection wall. Suitable walls, archways and well falls are contemplated to sustain the iron pipes, and provide for a waste weir, to carry off surplus water; connecting pipes and stop cocks will be required, in order to have a complete control of the water at all times.

In preparing the estimates, both for the receiving and distributing reservoirs, I have been able to get a good approximation of the quantities of excavation, embankment, puddle wall, protection and hydraulic walls of masonry. But the expense of those items that relate to the influent and effluent action of the water, I have not had time to prepare with much accuracy, and the estimate in this respect may be viewed as general; it is believed to be liberal.

Estimate for Receiving Reservoir :

140,000 cubic yards of rock excavation at 80 cents	\$112,000
310,000 " " earth " at 20 cents	62,000
190,000 " " embankment at 15 cents	28,500
25,000 " " do. puddled at 20 cents	
extra	5,000
18,500 cubic yards of protection wall at \$2 .	37,000
3,500 " " cement or hydraulic masonry at \$6	21,000
Archways of masonry under the avenues to lay effluent pipes, and to carry off surplus or waste water, estimated to require 2,500 cubic yards hydraulic masonry at \$8 . .	20,000
Iron pipes and stop cocks, estimated . .	25,000
	<hr/>
	<u>\$310,500</u>

The expense of excavating the reservoir may be reduced, by reducing the depth of water. But when it is considered that the heavy work in the vicinity will probably consume all the surplus earth and rock it will afford, the economy in this respect will not appear important. Other expenses will remain materially the same, whether it is designed for 20 or 15 feet water; and although the expense for excavation is large, I do not think we should have less depth of water than before proposed.

The reservoir will contain 25,367,000 cubic feet, or 158 millions imperial gallons, equal the full capacity of the aqueduct for (say) $3\frac{1}{4}$ days; add to this 10,000,000 imperial gallons, for the contents of the distributing reservoir, and we have a total reserve in store of 177 millions gallons. This would afford (nearly) 20 millions gallons per day for 9 days. It has been stated that 1,250,000 inhabitants may be supplied from the main trunk of the aqueduct below Manhattanville. On this hypothesis, at least 1,000,000 will be supplied from this reservoir. The reservoir would then furnish 20 gallons per day, for 9 days to each inhabitant. But in the event of any occurrence that should render it necessary to suspend the operations of the aqueduct, we may presume the supply would be further restricted during the suspension, and not more than 15 gallons allowed to each inhabitant, at which rate the supply would be sufficient for (say) 12 days. The adequacy of this provision depends on the perfection of the aqueduct, should it be able to perform its office without interruption, very little storage reservoir would be required. But in a work of this magnitude, whatever might be the care and skill exhibited in its construction, it would not be prudent to hazard so important an interest, to contingencies that no sagacity may now anticipate. A considerable time will elapse before the wants of the city will reach the capacity of the reservoir, as above stated, during which the works of the aqueduct will have been proved by trial, and have acquired solidity, and thus remove the probability of serious interruption.

In my opinion, however, the supply in store should not be less than the capacity of the reservoir, as above stated.

Iron Pipes.

From the receiving reservoir south, the country falls so much below the grade level as to leave no doubt in my judgment, of the propriety of continuing the aqueduct, by means of iron pipes, to form the connection between the receiving and distributing reservoirs. It is therefore proposed to lay down pipes, commencing at 80th street, on the east side of the receiving reservoir, where the ground is favorable for the purpose, and carrying them by a curved line into the 5th avenue, near 76th street; thence to continue down the 5th avenue to the location for the distributing reservoir, on Murray's Hill. The whole length of the connecting pipes is 10,710 feet. In this distance it is supposed two summits will occur in the grade of the avenue; and as it will be desirable, in order to have them of easy approach, to have the pipes near and at uniform depth below the surface, it is proposed to conform to the designed grade of the avenue in laying them down. This will compel us to grade the avenue so far as it may be necessary to bring the pipes to the proper level or inclination of the same. At the two summits that occur in the pipes, it will be proper to put in air cocks; for the accommodation of which a small building about 14 feet square will be necessary, to afford protection to the cocks, and the means of approach at such times as may be necessary. The avenue being 100 feet wide, it is presumed there can be no objection to such a building in its centre.

The grading in this avenue is nearly all rock, and will be expensive.

It may be estimated that 700,000 people will ultimately derive their supply from the distributing reservoir on Murray's Hill, which will depend on the connecting pipes, under consideration. At 30 gallons for each inhabitant, 21 millions will

be required for the daily supply. Three 3 feet pipes, with a fall of 6 feet between the reservoirs, will be sufficient to furnish this quantity; and it is believed no extraordinary demand would require more than 8 feet fall. With only two 3 feet pipes, the head required to produce this quantity would be about $13\frac{1}{2}$ feet. The latter deducted from 119 feet would leave the water in the distributing reservoir $105\frac{1}{2}$ feet above mean tide. This makes no allowance for extraordinary demands, which would produce a further reduction in the elevation of the distributing reservoir. It is my opinion that three 3 feet pipes will ultimately be required, but only two will be necessary in the first instance. The 3d pipe may be wanted in 20 or 30 years, and as there is no particular object in comparison, the estimate will provide a suitable foundation for three, but only the laying down of two pipes.

Estimate for Connecting Pipes.

Grading, foundation, air cocks and buildings for do. estimated	\$60,000
21,420 lineal feet of 3 feet pipe, as per detailed estimate for Harlaem River, at \$20 48, say \$20 50	439,110
	<hr/>
	\$499,110
	<hr/>

Distributing Reservoir.

Establishing the top water line of this reservoir, as before intimated, at 115 feet above mean tide, we find its average elevation to be 31 feet above the natural surface of the ground, and about 40 feet above the established grade of the streets and avenues, at the place of location on Murray's Hill. It is an unfavorable circumstance for the reservoir, that the streets and avenue are cut so much below the natural surface, as it increases the expense in grading the work against slipping from the foundation. The soil appears favorable.

This reservoir had been designed to be 450 feet square on the outside; but the cutting down of the streets and avenue, will make it prudent to reduce its width between the streets to 420 feet. The ground descends towards the 6th avenue, and it is proposed to make the reservoir square. I have come to this conclusion mainly from the consideration that the expense was too great to make much calculation on it for storing water, beyond what would be convenient for the purposes of distribution.

In relation to the plan for this reservoir, as before mentioned, I can only submit an outline at this time, leaving it for a future communication to present the detail of its arrangement. The estimate will therefore be general for those items that relate to the influent and effluent pipes, stop cocks, and the waste culvert and well. The remaining work on the plan proposed will admit a computation reasonably accurate.

The following is an outline of the plan on which the estimate has been prepared. A slope wall of 6 inches to the foot rise is to form the exterior of the work. The wall to be 6 feet thick at the lower section, and 4 feet at the upper, masonry at right angles to its face; to be laid dry, except one foot of the face to be laid in quick lime mortar. Two feet extra thickness to be given to that part which supports the natural earth as cut down for the streets. An upright wall of hydraulic masonry raised in the interior, and the space between it and the slope wall filled with gravel and stone chips to form a support. This wall to be 6, 5, and 4 feet thick at different elevations. An embankment of puddled earth laid inside the hydraulic masonry, to have such dimensions as will make the top width 15 feet, and the inner slope of the reservoir 1 to 1. The inner slope to be protected by a cemented stone pavement. The bottom levelled to 32 feet below top water line, and covered with a coat of concrete masonry 6 inches thick. A partition to divide the reservoir into two equal parts to be made by a wall of hydraulic masonry carried to top water line. The embankment to be raised 4 feet above top water line.

Estimate for distributing Reservoir.

48,276 cubic yards embankment at 40 cents	\$19,310
24,000 " " puddled do. at 60 cents	14,400
21,000 " " dry protection wall with facing laid in mortar at \$4	84,000
12,780 cubic yards hydraulic masonry in centre wall at \$6	76,680
4,140 cubic yards paving inner slope of reservoir in cement and stone at \$5	20,700
1,700 cubic yards concrete pavement in the bottom of reservoir at \$6	10,200
	<hr/>
	\$225,290

3,500 cubic yards in division wall, at \$6	\$51,000
270 " " masonry in culvert and well-fall, at \$15	4,050
Influent and effluent pipes and stop cocks, with arches for do., estimated	15,000
	<hr/>
	70,050
	<hr/>
	<u>\$295,340</u>

It will contain, at 30 feet deep, about 19 million gallons.

Tabular statements have been prepared by the resident Engineers, under my direction, of the cost of each division of the aqueduct; embracing the whole work, from the Croton Dam to the receiving reservoir. These tables are herewith presented; and, together with the estimate for the receiving and distributing reservoirs, and the connecting pipes between them, show the total estimate to the distributing reservoir on Murray's Hill.

Recapitulation of Estimate.

1st division, per tabular statement	\$1,428,442
2d " " " " " " " " " "	1,186,238
3d " " " " " " " " " "	1,421,440
4th " " " " " " " " " "	2,152,871
	<hr/>
	\$6,189,000
Receiving reservoir, as per detailed estimate	310,500
Connecting pipes between reservoirs, per detailed estimate	499,110
Distributing reservoir, per detailed estimate	295,340
	<hr/>
	\$7,293,950
Add for contingencies and superintendence eight per cent.	583,516
	<hr/>
Total estimated expense	<u>\$7,877,466</u>

Should a bridge be adopted for carrying the aqueduct across Manhattan Valley, instead of iron pipes, the difference in the respective estimates, according to the line that may be adopted, must be added to the above ; which is based on the use of pipes at that place.

The two upper divisions of the work being under contract, the estimates have been made for them at contract prices. An average of those prices, with such variations as circumstances required, has been adopted in the estimates for that portion not under contract. My impression is, that the work yet to be put under contract, will be done at a lower rather than a higher rate. In works that are somewhat novel, the first lettings are usually at higher rates than those that take place after contractors become familiar with its character. It may therefore be esteemed a favorable circumstance for the economy of the work, that some experience has been obtained, before an attempt has been made to enter into contract for the heavy works required on the 4th division and reservoirs.

While I believe we may expect a reduction of prices, it has nevertheless appeared proper to make no diminution in the estimate, but rather to take existing contract prices as the most prudent course.

The quantities have been obtained, on the 1st and 2d divisions, to a great extent, by strict measurement. On the 3d and 4th divisions, where the work has not been contracted for, they have been obtained by more general methods. The masonry of the aqueduct, in all cases, is essentially exact. In obtaining the other items of work, great care has been taken not to omit any thing; and where there has not been time to obtain strict accuracy, a liberal computation has been adopted. It may be remarked, that in the essential items, a close approximation has been obtained; and the estimate is presented with strong confidence, that it will cover the cost of completing the work, on the substantial and permanent principles on which it has been commenced.

Respectfully submitted.

JOHN B. JERVIS,

Chief Engineer, N. Y. W. W.



Tabular Statement of Work done on the 1st and 2d Divisions of the Croton Aqueduct, up to the 25th of November, 1837.

[illegible]

There has been 610 lineal feet of TUNNEL Excavated.



Tabular Statement of quantities of Work and Cost of the same, at Contract, Prices, for the 1st Division of the Croton Aqueduct.

Drawn up by E. FRENCH, Resident Engineer, 1st Division.

No. of Section.	Length of Section in feet.	EXCAVATION.—CUBIC YARDS.					CUBIC YARDS.					TIMBER, PLANK, BOARDS AND SCANTLING.				IRON—POUNDS.		MASONRY.—CUBIC YARDS.												Length of Tunnels in feet.	Price of grubbing and clearing section.	Value of work not included in the preceding columns.	Total value of work for the 1st division of the Croton Aqueduct at contract prices.	
		All not hereafter enumerated.		Cemented clay and gravel, or stone, measuring cemented sand over half a cubic yard.			Embankment.	Back-filling.	Foundation wall.	Protection wall.	Macadamizing road over the Aqueduct.	M. Feet, board measure.			Round timber not less than 7 inches in diameter, lineal feet.	Wrought Iron.	Cast Iron, including fitting up, complete.	Concrete.	In Culverts, except arches and concrete.	In Culvert Arches, including centering.	Aqueduct Arches, including centering and in ventilators and waste weirs.		Aqueduct side walls.		Spandrel backing.	Cut stone in coping, water tables, jambs, and lintels.	No. of Culverts.	No. of Ventilators.	No. of waste weirs.					
												Oak.	Hemlock.	White Pine.							Hemlock.	Brick.	Stone.	Brick facing.										Stone in center and backing.
1	850	400	8500	600	71000	5000	1700	...	25	100	25	7000	4400	11550	110	370	...	184	400	80	190	180	65	3,3000	93,718	
2	1615	14900	...	.....	300	...	725	8200	500	350	...	...	...	...	...	67	...	320	92	32	797	7	575	2168	216	5	1	1	...	50	.....	40,673
3	2210	20000	...	.....	350	...	3000	8500	200	510	120	...	...	...	...	...	...	410	...	...	1091	...	782	2947	290	...	...	...	...	65	.....	50,764
4	2628	19000	...	6000	3700	...	.....	20000	60	750	...	...	...	...	...	60	...	470	82	16	1276	...	886	3486	385	2	2	...	...	65	.....	69,212
5	2257	17400	...	.....	5000	...	9000	16000	2500	2500	70	...	...	...	...	67	...	443	78	49	1120	7	676	2418	280	2	1	1	...	65	.....	66,962
6	2300	37000	...	300	1550	...	8000	25000	2450	320	...	...	12	4	...	...	...	527	172	82	1143	...	732	2765	302	6	1	...	...	50	.....	70,548
7	1600	22000	...	.....	600	...	2000	12000	1100	600	...	...	...	...	...	97	...	372	28	12	797	24	693	1862	210	3	1	1	...	50	.....	44,536
8	1700	28500	...	.....	250	...	1000	20000	600	30	...	...	...	...	...	...	...	346	97	45	847	...	510	1930	223	4	1	...	...	50	.....	46,663
9	3120	21300	...	.....	100	...	2870	16000	1000	480	...	...	...	...	...	97	...	607	113	45	1559	7	897	3395	410	5	3	1	...	250	.....	67,648
10	2398	29700	...	.....	1600	...	.....	20000	...	20	...	...	...	...	...	...	...	424	...	...	1201	...	621	2272	305	...	...	...	...	500	.....	52,973
11	1993	6500	...	.....	7000	...	1750	8000	1700	1630	100	...	...	...	...	30	...	418	64	34	1000	...	463	1600	243	3	2	...	...	150	.....	59,290
12	2355	21000	...	1000	200	...	.....	20000	...	900	50	...	...	...	...	97	...	534	20	6	1002	7	287	1860	311	4	1	1	...	350	.....	43,423
13	2398	31800	...	6000	500	...	.....	20000	30	1480	...	...	...	...	...	60	...	536	40	13	1021	...	293	1892	331	1	2	...	...	300	.....	49,552
14	2791	31000	...	4000	200	...	1000	20000	170	860	130	...	...	...	...	184	...	490	50	20	1190	24	340	2300	375	4	3	1	...	200	.....	57,088
15	2600	7100	600	.....	3700	2740	23000	13000	8800	3300	...	...	3	5	...	43	...	600	310	150	1040	...	540	1750	310	13	3	...	930	100	.....	115,348
16	1664	3400	3000	1160	3870	8000	1500	100	3	154	...	320	70	35	600	7	230	950	150	7	2	1	...	350	50	43,199	
17	2507	5000	...	10000	...	...	3600	15000	2450	700	50	...	...	...	...	...	...	500	100	70	1220	...	450	1340	300	9	2	...	...	50	.....	50,357
18	1693	4500	...	.....	7500	...	.....	9500	...	...	...	...	...	...	...	37	...	250	15	8	850	...	24	750	170	1	1	...	...	15	.....	30,084
19	1742	5900	3600	...	1400	6500	820	650	100	67	2000	320	65	38	730	62	206	970	200	12	1	1	1	...	20	3,000	36,487	
20	1058	6500	...	.....	2600	1110	.....	1600	3300	140	...	5	9	31	...	370	30000	240	...	...	280	...	112	300	30	130	...	...	335	50	40,142	81,408
21	2079	23000	...	.....	...	...	3000	17200	180	...	120	...	...	...	...	...	...	360	...	...	900	...	251	1640	280	...	...	...	...	100	.....	37,896
22	1730	21500	500	900	1680	16800	67	...	260	575	24	240	1150	140	1	1	1	...	510	48,598	
23	2121	10000	300	3000	2100	13600	12600	3500	50	430	110	65	700	...	300	1300	170	5	1	625	250	59,682	
24	2450	10800	...	.....	5500	...	900	19800	290	...	...	...	...	...	...	...	...	400	...	...	1050	...	300	1140	250	...	...	...	...	290	.....	32,725
25	1900	13500	...	.....	...	...	9500	15100	2870	...	50	...	...	...	...	67	...	425	130	73	810	7	230	1500	220	10	2	1	...	200	.....	42,698
26	2200	12600	...	6600	50	...	.....	10300	...	...	120	...	...	...	...	...	...	360	...	...	940	...	270	1740	290	...	...	...	...	30	.....	36,910
53,959		424,300	1,400	23,900	69,700	9,390	159,215	364,100	34,020	17,070	910	30	127	68	7,000	5,964	43,550	10,472	1,634	793	24,109	176	11,316	45,825	6,471	417	30	10	1	2,930	3,365	76,142	1,428,442	

N. B. Sections Nos. 1 and 20, being in part of a different kind of work from the remainder of the Division, the total cost of that kind of work is placed in the last column but one.

Tabular Statement of quantities of Work, together with the Cost of the same, at Contract Prices, for the 2d Division of the Croton Aqueduct.

Prepared by H. T. ANTHONY, Resident Engineer, 2d Division.

No. of Section.	Length of Section. Feet.	EXCAVATION.—CUBIC YARDS.					CUBIC YARDS.					TIMBER, PLANK, BOARDS AND SCANTLING.				IRON.—POUNDS.		MASONRY.—CUBIC YARDS.														Length of Tunnels. Feet.	Value of grubbing and clearing section. Dolls.	Value of work not included in this preceding column. Dollars.	Total value of work, according to contract prices. Dollars.
		All not hereafter enumerated.		Cemented clay and gravel, or cemented sand and gravel.	Rock, including stone, measuring over half a cubic yard.	Embankment.	Back-filling.	Foundation wall.	Protection wall.	Macadamizing roads over the Aqueduct.	M. Feet, board measure.			Round timber not less than 7 inches in diameter, lineal feet.	Wrought.	Cast.	Concrete.	In Culverts, except arches and concrete.	In Culvert Arches, including centering.	Aqueduct Arches, including centering and in ventilators and waste weirs.		Aqueduct side walls.		Spandrel backing.	Cut stone in coping, water tables, jambs, and lintels.	No. of Culverts.	No. of Ventilators.	No. of Waste Weirs.							
		Open cutting.	Tunnel cutting.								Open cutting.	Open cutting.	Tunnel cutting.							Oak.	Hemlock.	White Pine.	Hemlock.						Brick.	Stone.	Brick facing.					S. one in center and backing.
27	2690	27000	450	190	25000	50	200	2000	480	90	14	1134	78	278	2200	270	9	2	1	1	...	25	3,000	48,318			
28	2105	28300	....	.....	800	....	....	20800	....	....	...	...	...	...	45	....	372	45	10	890	...	220	1700	210	2	1	...	...	75	....	37,430
29	2207	8500	....	.....	2200	....	5600	26200	1700	640	100	...	...	...	75	....	490	95	45	930	8	230	1650	220	6.5	2	1	...	150	....	41,761
30	2102	6000	....	.....	4050	600	1000	12000	600	1650	50	...	...	...	30	700	440	25	...	830	...	210	1420	210	1	1	...	175	200	....	42,308
31	1724	4900	....	.....	4500	....	5500	13000	1600	850	50	...	...	...	...	...	362	36	14	730	...	180	1300	170	2.5	1	...	...	250	....	38,969
32	1700	2000	....	.....	4320	....	5200	9000	1200	1200	...	...	...	...	110	....	480	60	...	720	24	190	1100	170	2.5	2	1	...	400	....	31,980
33	2247	11000	....	.....	3000	....	59000	19000	15000	6000	50	...	...	...	...	...	530	960	470	950	...	240	1720	230	17.5	1	...	...	300	....	99,977
34	2400	17000	....	.....	100	....	....	12000	....	....	...	...	...	...	60	....	416	22	...	1008	8	250	1930	240	1	1	1	...	275	....	37,515
35	1804	17000	....	.....	2000	....	4500	14000	2300	1100	...	...	...	...	...	...	406	53	35	760	...	100	1450	180	3	1	...	...	35	....	38,051
36	2000	18500	....	.....	1500	....	2400	16000	600	2100	...	...	...	...	...	...	400	61	25	840	...	210	1610	200	1	1	...	...	100	....	38,119
37	2302	17000	....	.....	4000	....	2100	16000	1000	100	80	...	...	...	30	....	430	55	25	970	8	250	1580	230	2.5	1	1	...	125	....	42,508
38	2255	16200	....	.....	5000	....	100	13000	150	...	50	...	...	...	...	...	420	53	24	950	...	250	1530	230	3	1	...	...	200	....	38,504
39	1706	9500	....	.....	4000	....	460	7000	200	100	...	...	...	...	80	....	320	52	...	720	24	180	1250	170	4.75	2	1	...	200	....	30,005
40	1506	12400	....	.....	400	854	7000	11000	1650	820	...	7	...	...	...	...	300	130	70	680	...	170	1200	160	3.5	1	...	256	300	....	37,524
41	1477	13200	....	.....	300	....	200	9500	160	....	30	...	...	...	...	...	320	28	...	700	...	170	1340	170	1.25	1	...	...	50	....	28,988
42	2222	16120	....	.....	4000	....	100	14000	80	....	80	...	...	...	60	....	370	28	...	950	8	240	1700	230	2.25	1	1	...	300	....	39,365
43	2779	20050	....	.....	50	....	1000	16000	416	....	50	...	...	...	200	2000	530	126	40	1184	70	290	2250	280	9.25	2	1	...	25	3,000	45,528
44	1610	14160	....	.....	800	....	....	12500	....	....	50	...	...	...	60	....	300	50	...	680	...	170	1290	160	2	...	...	...	200	....	28,462
45	2502	16960	....	.....	3000	....	20000	16000	6200	1800	...	...	...	...	30	....	570	480	194	1050	8	280	1860	250	12.5	2	1	...	50	....	76,395
46	1930	15500	....	.....	50	....	....	9000	....	....	100	...	...	...	...	...	330	...	...	800	...	200	1530	190	...	...	...	...	25	....	29,805
47	2100	24150	....	.....	500	....	....	15000	....	....	50	...	...	...	80	....	367	26	...	890	24	220	1690	210	2.5	1	1	...	50	....	36,283
48	1700	12860	....	.....	500	....	12000	13000	3010	1500	50	...	...	...	...	...	450	125	70	720	...	190	1370	170	4	1	...	...	50	....	43,620
49	2036	15700	1300	....	1100	....	5000	13500	2300	260	100	...	...	...	40	....	480	190	58	880	...	220	1690	170	6.5	3	...	275	50	....	47,842
50	1501	17309	....	.....	3500	....	1500	17000	660	500	100	...	...	...	30	....	300	80	...	630	8	160	1210	150	3.5	2	1	...	100	....	36,404
51	2502	20000	....	.....	4000	....	300	16000	226	840	...	...	...	...	60	....	440	60	...	1010	...	270	1780	240	2.5	3	...	...	350	....	48,468
52	3204	20300	....	.....	6500	....	4500	23000	1216	700	150	...	...	...	30	....	650	160	66	1350	8	350	2180	320	8.7	3	1	...	250	....	70,499
53	2303	21100	....	.....	4000	....	5200	15500	1410	820	50	...	...	...	...	...	460	150	70	970	...	250	1640	230	5	2	...	...	80	....	52,210
		56,644	422,700	1300	64,620	1,454	142,850	404,000	41,728	20,980	1,190	7	...	2	1,220	4,700	11,383	3,240	1,230	23,926	276	6,058	43,170	5,660	119.75	41	11	...	706	4,215	6,000	186,238	



Tabular Statement of quantities of Work, together with the estimated Cost of the same, for the 3d Division of the Croton Aqueduct.

Prepared by P. HASTIE, Resident Engineer, 3d and 4th Divisions.

No. of Section.	Length of Section in feet.	EXCAVATION.—CUBIC YARDS.					CUBIC YARDS.					TIMBER, PLANK, BOARDS AND SCANTLING.				IRON—POUNDS.		MASONRY.—CUBIC YARDS.														Length of Tunnels.	Value of grubbing and clearing section.	Value of work not included in the preceding columns.	Total value of work for the 3d division of the Croton Aqueduct at estimated prices.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
		All not hereafter enumerated.		Cemented clay and gravel, or cemented sand and gravel.	Rock, including stone, measuring over half a cubic yard.		Embankment.	Back-filling.	Foundation wall.	Protection wall.	Macadamizing roads over the Aqueduct.	M. Feet, board measure.			Round timber not less than 7 inches in diameter, lineal feet.	Wrought Iron.	Cast Iron, including fluting up, complete.	Concrete.	In Culverts, except arches and concrete.	In Culvert Arches, including centering.	Aqueduct Arches, including centering and in ventilators and waste weirs.		Aqueduct side walls.		Spandrel backing.	Cut stone in coping, water tables, jambs, and lintels.	No. of Culverts.	No. of Ventilators.	No. of Waste Weirs.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
												Oak.	Hemlock.	White Pine.							Hemlock.	Brick.	Stone.	Brick facing.												Stone in center and backing.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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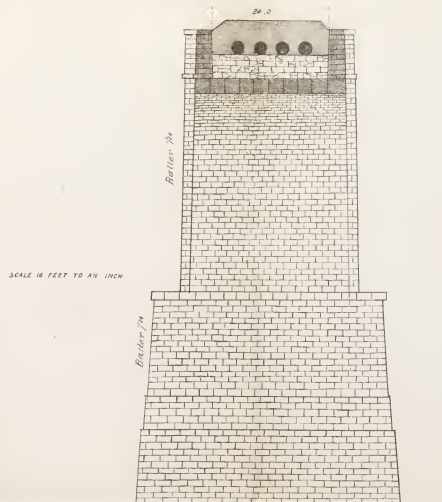
Tabular Statement of quantities of Work, together with the estimated Cost of the same, for the 4th Division of the Croton Aqueduct.

Prepared by P. HASTIE, Resident Engineer, 3d and 4th Divisions.

No. of SECTION.	Length of Section. Feet.	EXCAVATION.—CUBIC YARDS.					CUBIC YARDS.					TIMBER, PLANK, BOARDS AND SCANTLING.				IRON—POUNDS.		MASONRY.—CUBIC YARDS.												No. of Culverts.	No. of Ventilators.	No. of Waste Weirs.	Length of Tunnels. Feet.	Value of grubbing and clearing section. Dolls.	Value of work not included in the preceding columns. Dollars.	Total value of work for the 4th division of the Croton Aqueduct at estimated prices, exclusive of reservoirs and conduit pipes between them. Dollars.
		All not hereafter enumerated.		Cemented clay and gravel, or cemented sand and gravel.	Rock, including stone, measuring over half a cubic yard.		Embankment.	Back-filling.	Foundation wall.	Protection wall.	Macadamizing roads over the Aqueduct.	M. Feet, board measure.			Round timber not less than 7 inches in diameter, lineal feet.	Wrought Iron Work.	Cast Iron Work.	Concrete.	In Culverts, except arches and concrete.	In Culvert Arches, including centering.	Aqueduct Arches, including centering and in ventilators and waste weirs.		Aqueduct side walls.		Spandrel backing.	Cut stone in coping, water tables, jambs, and lintels.										
												Oak.	Hemlock.	White Pine.							Brick.	Stone.	Brick facing.	Stone in centre and backing.												
80	2027	3900	....	.....	4900	....	1700	10430	1260	2500	50	..	...	..	.....	...	....	530	77	21	870	...	200	1630	200	4	2	..	..	...	100	.....	50,136
81	2093	3900	....	.....	1300	....	7500	14200	3000	3200	60	..	...	..	.....	100	....	540	37	9	890	32	210	1680	210	4	1	1	..	...	100	.....	58,159
82	1800	7300	....	.....	2300	....	8000	9400	3620	3060	...	..	...	..	.....	...	....	540	580	100	770	...	180	1450	180	4	2	..	..	...	50	.....	64,055
83	1700	2400	....	.....	3000	....	2000	7300	520	2000	...	..	...	..	.....	...	....	440	38	9	730	...	170	1370	170	2	1	..	..	...	50	.....	38,857
84	1500	8300	....	.....	4600	....	1500	9350	.....	500	75	..	...	..	.....	100	....	390	36	7	640	32	150	1210	150	4	1	1	..	...	50	.....	36,791
85	2300	15200	....	.....	7600	....	2500	17900	150	1500	50	..	...	..	.....	...	....	420	43	14	680	...	160	1200	160	2	1	..	..	...	100	.....	49,687
86	3216	....	....	.....	10900	....	2500	8000	1500	1500	...	..	...	..	.....	350	2000	450	50	14	760	87	174	1420	180	12	1	1	1	...	200	429,027	486,297
87	1300	....	....	.....	6500	820	1000	8000	700	2000	...	..	...	..	.....	...	....	330	140	35	554	...	130	1050	130	4	2	..	..	234	250	.....	49,648
88	2500	....	....	.....	13400	....	6000	12000	2900	4000	...	..	...	..	.....	100	....	640	130	33	1070	32	250	2010	250	7	3	1	..	...	400	.....	82,436
89	2786	6500	....	.....	14400	....	45400	23000	2300	....	100	..	...	..	.....	...	....	710	...	...	1430	...	280	2240	280	..	..	..	..	...	100	.....	13,980
90	2379	3200	....	.....	6900	2480	9300	6600	.....	....	75	..	...	..	.....	100	....	610	...	...	1440	32	240	1910	240	2	..	1	..	709	300	.....	79,555
91	5293	1100	....	.....	7150	2415	.....	6500	.....	500	...	..	...	..	.....	350	2000	410	...	...	970	87	160	1290	160	10	..	1	1	690	1500	349,372	417,605
92	2397	4000	....	.....	8600	1092	61000	15600	4300	....	50	..	...	..	.....	...	....	610	...	...	1440	...	240	1920	240	..	..	..	..	312	200	.....	95,980
93	1852	6900	....	.....	3700	....	40000	14400	2600	....	...	..	...	..	.....	...	....	470	...	...	790	...	190	1490	190	..	..	..	..	...	100	.....	51,085
94	1872	2000	....	.....	....	....	2300	7000	33000	600	...	..	...	..	.....	100	....	470	...	...	833	32	140	1670	280	2	..	1	..	...	1000	181,600	312,889
95	1840	5100	....	.....	6600	....	4200	13600	2600	....	50	..	...	..	.....	...	....	470	...	...	780	...	180	1480	190	..	..	..	..	2000	.....	52,340	
96	2200	1500	....	.....	5400	....	200000	17100	14700	....	...	..	...	..	.....	100	....	560	...	...	1330	32	220	1770	220	2	..	1	..	...	250	.....	133,371
	39,055	71,300	....	.....	107,250	6,807	394,900	200,380	73,150	21,360	510	..	...	..	.....	1,300	4,000	8,590	1,131	242	15,977	366	3,274	26,880	3,430	50	14	8	2	1,945	6,750	959,999	2,152,871



PLAN FOR CROSSING HARLAEM RIVER BY CAST IRON PIPES OR INVERTED SYPHON.

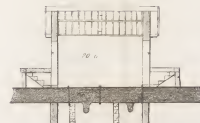


SCALE 16 FEET TO AN INCH

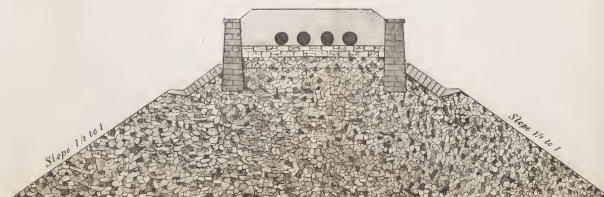
SECTION THRO' MAIN ARCH



SECTION THRO' HOUSE C



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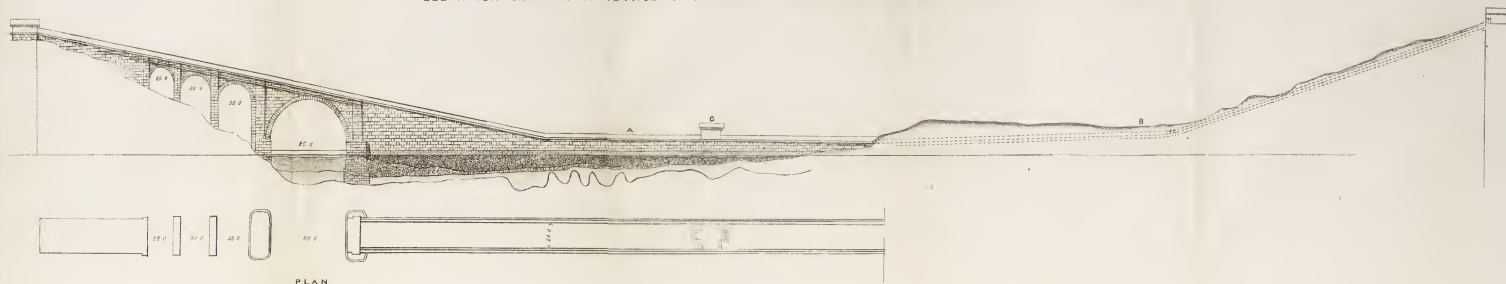
SECTION AT A.



SECTION AT B.

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ELEVATION SHEWING A METHOD OF CONVEYING WATER ACROSS HARLAEM RIVER BY CAST IRON PIPES.

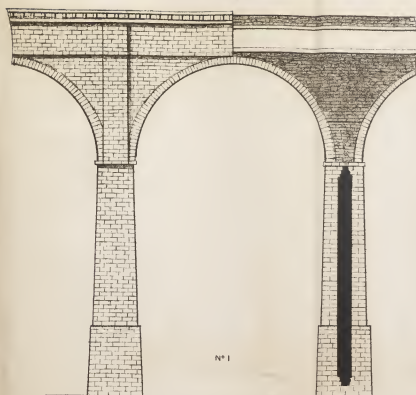


PLAN

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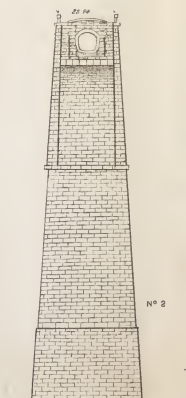


PLAN, ELEVATION, AND SECTION OF THE PROPOSED AQUEDUCT BRIDGE FOR CROSSING HARLAEM RIVER

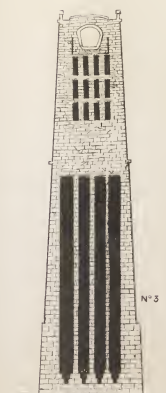


ELEVATION AND SECTION OF ARCH A

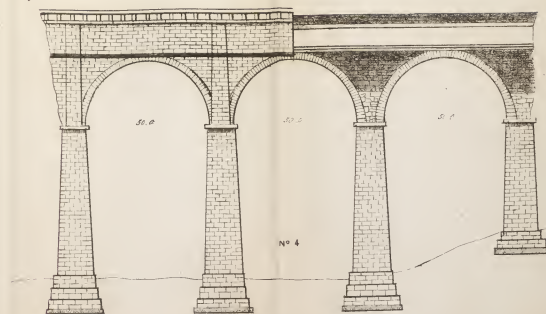
SCALE 32 FEET TO AN INCH



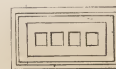
SECTION THRO' CROWN OF ARCH



SECTION THRO' PIER

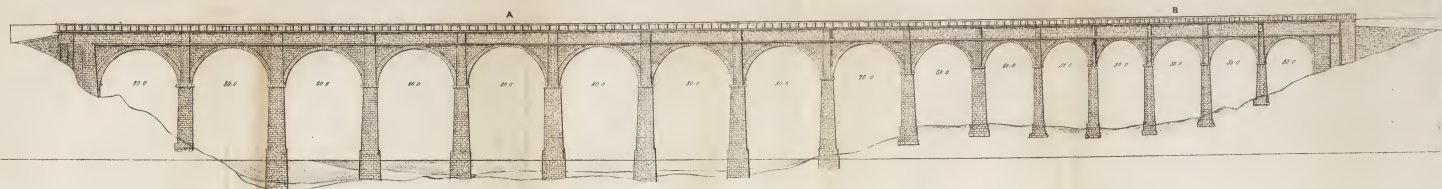


ELEVATION AND SECTION OF SMALL ARCHES AT B.



PLAN OF HOLLOW PIER

N°5



ELEVATION OF THE PROPOSED BRIDGE FOR CROSSING HARLAEM RIVER.



PLAN OF THE BRIDGE.

SCALE 80 FEET TO AN INCH



DOCUMENT NO. 56.

BOARD OF ALDERMEN,

JANUARY 15, 1838.

Report of the Finance Committee, on the resolutions of Aldermen Paterson and Ingraham, relative to providing a Register of Assessments and of Quit Rents. Report accepted and ordinance passed.

THOMAS BOLTON, *Clerk.*

[Offered by Alderman Paterson.]

Resolved, That hereafter all persons conveying any property upon which quit rents are due to this City, be required to notify the Comptroller of such conveyance, in order that an apportionment of the quit rent be made.

[Offered by Alderman Ingraham.]

Resolved, That it be referred to the Committee on Finance to inquire into the propriety of providing a register of all assessments that shall be returned unpaid, for sixty days after

the confirmation of such assessments, designating the property and name of the owner, as far as practicable, and the amount of assessment, and also a record of all lots sold for taxes and assessments, with suitable indexes, and having such records kept by an officer to whom reference may be made by persons interested therein.

Resolved, That it be referred to the Finance Committee to inquire into the propriety of providing a record of quit rents due to the City, and of the transfer of property connected therewith; and also as to the propriety of allowing the Comptroller, with the approbation of the Finance Committees of both Boards, to receive proportionate amounts of quit rents from the different persons owning land under the same grant of this Corporation.

The Finance Committee to whom was referred the accompanying resolutions, relative to providing a register of assessments, and of lands sold for taxes, and also a register of quit rents, respectfully

REPORT:

That your Committee are convinced of the necessity of providing such registers as speedily as the same can be obtained; and they are more satisfied of the necessity of this, from some recent occurrences which have lately come to their knowledge.

The law, as it exists at present, requires the Collector of Assessments to call twice on each person whose land is assessed, wherever they can be found, before making a final return; and such facts must be sworn to by him. After such return, the property is advertised in two of the newspapers of the city, previous to being sold. After the sale, the owner has two years to redeem, and before the expiration thereof, it must again be advertised for redemption.

At first sight it would appear that sufficient guards are provided to protect the owners of real estate from the loss of their property; but when it is remembered that these assessments are often for work or improvements not in the immediate vicinity of the property assessed; such, for example, as the intersection of a street; the building a well, or the opening of a public square; and that the owner has no direct knowledge of the assessment until receiving notice. And also, that there are so many newspapers published in this city, that but a very small portion of our population see each of the daily papers; it must be evident that sufficient guards are not provided to ensure to the owners of property full notice before the sale of the same takes place. Your Committee also have reason to believe, from some late occurrences, that the Collectors are not as careful as they should be in calling for the assessment before returning them for warrants. Instances have come to the knowledge of some of the members of the Committee, where individuals have been assessed for distant improvements, in small sums, and have lived on the premises so assessed, with money at all times ready to pay such claims when presented, and with an abundance of property on the premises, on which the same might have been levied; and yet the assessment returned unpaid, and the property sold without the knowledge of the owner. The case mentioned in the petition lately referred to this Committee, is a similar one, where the property has been sold without the knowledge of the owner, and, as he avers, having been ready at all times to pay any assessment, if it had been demanded of him. Such occurrences ought not to take place under a proper administration of the laws; and if it is owing to a defect in the laws, it is the duty of the Common Council to provide a remedy.

The plan proposed in the resolution will be useful in furnishing to the owners of real estate an opportunity of searching, from time to time, for liens upon their property; but is not the only measure requisite, in the opinion of your Committee, to afford the necessary protection; but as your Committee are

not instructed to report on this branch of the subject, they feel hesitation as to recommending any additional measures in relation thereto. They would, however, suggest to the Common Council the propriety of requiring, in all cases of assessments, that a written or printed notice should be left on the premises, and if not served personally, another, addressed to the owner, should be sent through the Post Office, previous to advertising the same for sale.

The especial object of the first resolution was to provide a record, not only for the owners, but for the purchasers, in order that they might ascertain the liens upon the same. This is now almost impossible, in consequence of the different assessments being placed in the hands of several Collectors, without any general register of the same. An alphabetical index of all assessments might by a reference thereto, show at once whether any particular piece of property was subject to any assessment; and such a record would, no doubt, lead to the payment of many assessments which now remain unpaid until sold. Your Committee recommend that a book be prepared by the Street Commissioner, under the direction of the Finance Committees, for this purpose; that such book shall contain an alphabetical list of all property assessed, designating for what assessment, when made, the street number of the lot, the map number, the streets or avenues between which the lot is situated, the amount due and when paid. And that the Street Commissioner shall, before sending in returns of the Collectors for warrants, on the expiration of 60 days after confirmation of each assessment, enter all property on which such assessment shall remain unpaid. They also recommend that such book be kept as a record in the Street Commissioner's office, for the purpose of reference. They also recommend that a similar book be prepared for the entry of all lots sold for assessments or taxes, and stating, in addition to the above, the period when the time allowed for redemption expires.

The second resolution directs the Committee to inquire into the propriety of providing a record of quit rents and of the

transfers of property connected therewith; and also to allow the Comptroller to receive proportionate amounts of quit rents, when any grant to an individual shall be sold in different lots. This measure, your Committee think, will be useful in enabling the Collectors of City Revenue more easily to collect the quit rents due the city. At present there is a large amount now due and unpaid, in consequence of the subdivisions which have been made. In order to carry into effect more fully the object of the resolutions, it will be necessary to insert, in all subsequent grants, a covenant on the part of the grantee, to notify the Comptroller, in writing, of all subdivisions made by him, whenever he shall sell any portion of the land so granted. Some expense will be incurred for the books necessary, and also for preparing the necessary maps of the grants subject to quit rents, for which your Committee recommend an appropriation, and they herewith submit two ordinances for the adoption of the Common Council.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

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A LAW

To provide a Record of Quit Rents.

The Mayor, Aldermen and Commonalty of the City of New York, do ordain as follows:

1st. The Comptroller shall procure a suitable book under the direction of the Finance Committees, in which he shall cause to be entered maps of all grants of land made by the Corporation, on which quit rents are now payable; showing the original grants, and the subdivisions of such grant, as near as can be ascertained of the same, and to be called "The Record of Quit Rents."

2d. The Comptroller shall, under the direction of the said Committees, enter in the said book immediately after each map, the names of the present owners of the different lots in the land described on such map, with the portion of the quit rent to which the same was sold subject; and if approved of by the said Committees, may hereafter receive the sums so to be paid by the several owners of such lots, in payment of their portion of the moneys due on the original grant, as the same shall, from time to time, become payable.

3d. The Comptroller shall, on receiving written notice of the sale of any portion of land so subject to a quit rent from the grantor thereof, enter in the said book the name of the purchaser thereof; the amount to which said lot is sold subject; the date of such sale, and the portion of the original grant so

sold, and may thereafter receive such rent as the same shall, from time to time, become due, as the portion of the rent due on the original grant to be paid by such purchaser or his legal representatives: Provided no such entry shall be made until the said Committees shall approve thereof, as fairly apportioned in comparison with the original grant.

4th. In all subsequent grants of land, subject to quit rents, there shall be inserted a covenant requiring the grantee, or his legal representatives, whenever he or they shall sell the whole or any portion of the land so granted, to give to the Comptroller a written notice of such sale, within thirty days after such sale shall be made, specifying the name of such purchaser, the amount of land so sold, the amount of quit rent to be paid on the same, and the time of such sale; and on being approved of by the Finance Committees, the Comptroller shall enter the same in the said register, and thenceforth such lot shall only be liable for the portion of quit rent to which the same shall be sold subject.

5th. Such book shall be kept in the Comptroller's office, and all subsequent grants of land subject to quit rents, shall be entered therein in the same manner.

6th. The sum of one hundred dollars is hereby appropriated to carry into effect this ordinance.

A LAW

*To provide a Record of Lots subject to Assessments, and of
Lots sold for Assessments or Taxes.*

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows:

1st. It shall be the duty of the Street Commissioner to keep a register of all lots on which any assessment shall remain unpaid for a longer period than sixty days after the confirmation of the same; and he shall enter in such register all lots on which assessments shall be returned unpaid by the Collectors of Assessments, before presenting a warrant for the collection of the same.

2d. The Street Commissioner shall procure a suitable book for this purpose, under the direction of the Finance Committees, and shall have entered therein all lots now subject to assessment, where warrants have been issued for the collection of the same, specifying in alphabetical order, the avenue or street on which such lots are situated; the avenues or streets between which they are situated; the map number of such lots; the street number of such lots; the name of the owner to whom assessed; the particular cause of assessment; the amount of assessment, when made, and the payment thereof, with the time of payment, if the same shall be so paid.

3d. Such book shall remain in the Street Commissioner's office, and all subsequent assessments shall be registered in the same manner by the Street Commissioner, and it shall be called "The Record of Assessments."

4th. The Street Commissioner shall procure a suitable book, under the direction of the Finance Committees; and shall have entered therein, in alphabetical order, the lots which may be sold for taxes or assessments, within twenty days after such sale shall take place, in the same manner as is specified in the second section; and also the time of such sale, the day on which the time allowed for redemption expires, and, if redeemed, the time when the money was paid to redeem the same.

5th. Such book shall be kept in the Street Commissioner's office, and all subsequent sales for assessments or taxes, shall be registered, in like manner, by the Street Commissioner, and it shall be called "The Record of Sales."

6th. The sum of one hundred dollars is hereby appropriated to carry into effect this ordinance.

DOCUMENT NO. 57.

BOARD OF ALDERMEN,

JANUARY 15, 1838.

Report of the Committee on Charity and Alms House, on sundry Applications for Donations. Laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Charity and Alms House, to whom were referred the petitions of the Female Benevolent Society, Female Assistance Society, New York Lying-in Asylum, Northern Dispensary, Half Orphan Asylum, Orphan Asylum Society, and the St. George's Society, severally, for donations; also, the report from the Board of Assistants, in favor of the petition of New York Clothing Society, for a donation, respectfully

R E P O R T :

That the subject of said petitions has received the most se-

rious and deliberate attention of your Committee. The practice of contributing annually, from the funds of the city, to the several charitable societies, has so long prevailed, and has received the sanction of so many succeeding Common Councils; the excellent motives and most praiseworthy conduct of the Managers and members of these societies; and the great amount of suffering and distress relieved by them, demanded from your Committee the most anxious consideration, before they ventured to recommend a departure from a practice so long established.

But it must not be forgotten, that the expediency and propriety, and even the right of the Common Council, to make such contributions, have frequently been questioned by able and worthy members of the Common Council; and in the proceedings of the Common Council, of the two preceding years, these opinions have been manifested by considerable reductions of the amount of such annual donations, and the exhibition of a disposition to discontinue them altogether. The growth and increase of the city has been accompanied by, at least, a proportionate increase in the number of charitable societies. They are all formed from excellent motives, and for the same worthy object, the relief of distress; and, however individuals may distinguish between the merits of the different classes of sufferers, or the various forms of distress to which they respectively administer, their claims for assistance upon the Common Council will be nearly equal; and a discrimination invidious, if not impracticable. The increased and still increasing number of such societies, therefore, by increasing, to a large amount, the annual donations of the Corporation, requires from the Common Council great deliberation in their decision on this subject. It cannot be expected that your Committee can examine, or even enumerate the various objections that may be urged against the continuance of the practice of annual contributions. Two of the leading objections only will be mentioned. The first is, that the tendency of charitable societies is to increase pauperism.

Your Committee believe that it is not necessary to enter upon an argument to sustain this proposition. Pauperism, its causes, and the remedy, have largely engaged public attention, in England and in this country, for many years past. Committees of public bodies have been engaged in minute and laborious examination; able individuals have zealously investigated; all experience has been consulted; able and full discussions have been had, and luminous reports have been made of the results of all these measures.

Most, if not all, of these reports, concur in establishing the position stated above. These charitable societies diminish the industry and economy of the poor. The great stimulus of the fear of want and suffering is taken away, or lessened, by the knowledge, that such societies exist and have made provision for their relief; and they soon find it more agreeable, to trust to the assistance of these societies, than to rely upon irksome measures of labor, and prudent, but self denying economy. The large number of such societies affords them a facility of practising what may be fairly denominated frauds, by becoming the objects of the bounty of many societies, and receiving full relief from each. These are the practices of the bold and the artful; and frequently tend, even to the entire exclusion, of the modest and deserving. So numerous and ingenious have been such practices, within the knowledge and experience of the Managers of the public charities, as to render necessary almost an entire discontinuance of the practice of administering any relief outside of the walls of their establishments. Your Committee urge these remarks, not as arguments against the existence of these societies, or to diminish the zeal and liberality of the individuals by whom they are formed and supported, but as peculiarly bearing upon the Common Council, in connection with the next objection that will be presented; the right and propriety of the Common Council making such annual donations.

The Common Council, by law, have the charge of the relief and maintenance of the poor of the city. They superintend

the public establishments; regulate the expenditures; and, under the authority of the law, determine, by taxation, the necessary amount for these purposes. The funds from which these annual donations are made, are also raised by taxation; and it may well be asked, by what authority do the Common Council bestow monies, so raised, in private charity? But your Committee care not to press this question of right, believing the consideration of the propriety will be sufficient to justify the conclusions at which they have arrived. The law makes provision for all poor and needy; and the necessity of these public charities justify the compulsory measures by which the means of supporting them are raised. But these societies and private charities are, or ought to be, supported by voluntary contributions. The donations of the Common Council are voluntary, as far as the members are concerned. But they are donations of the money of the people of the city, raised by a compulsory process, and given without their direction or consent. May not the tax paying citizen justly demand that he should be the judge, of what amount, and to what charitable society he should be the contributor? Again, taxes are levied upon all; and may not this process, in numerous instances compel the owner of a small property; the husband and father, to contribute, from his slender means, to private societies, that which the law, reason, and religion, imperiously demand, should be bestowed upon a wife and children, for whose support and comfort he is bound to provide. Your Committee forbear to trespass on your time and patience further than to state, that, upon full consideration, they have arrived at the conclusion, that the Common Council should discontinue their donations to charitable societies; with the exception, perhaps, of the Dispensaries; which are not altogether liable to the objections heretofore urged. But from the consideration that some of the applicants, having heretofore partaken of the public bounty, may have confidently relied upon its repetition, to sustain them in expenses already incurred, your Committee recommend the adoption of the following resolutions; intending

that the donations, now recommended, shall be the last ; and that it may be known to all charitable societies, (if the views of the Committee are adopted by the Common Council,) that assistance from the Public Treasury cannot hereafter be expected.

They respectfully recommend the adoption of the following resolutions :

1st. That the Comptroller be, and he is hereby authorized to draw his warrant, for the sum of \$500, in favor of the Treasurer of the Northern Dispensary.

2d. That the Comptroller be, and he is hereby authorized to draw his warrant for the sum of \$400, in favor of the Treasurer of the New York Lying-in Asylum.

3d. That the Comptroller be, and he is hereby authorized to draw his warrant for the sum of \$400, in favor of the Treasurer of the New York Female Assistance Society.

4th. That the Comptroller be, and he is hereby authorized to draw his warrant for the sum of \$400, in favor of the Treasurer of the New York Female Bencvolent Society.

5th. That this Board do *not* concur with the Board of Assistants, in the resolution in favor of making a donation of \$500 to the New York Clothing Society.

6th. That the prayer of the several petitions of the Orphan Asylum Society, the Half Orphan Asylum Society, and the St. George's Society, be denied.

JOSEPH HOXIE,
EDWARD TAYLOR,
ISAAC L. VARIAN.



DOCUMENT NO. 58.**BOARD OF ALDERMEN,**

JANUARY 15, 1838.

Report of the Committee on Laws, on the communication of James Buchanan, Esq.; and a resolution directing the Committee to inquire into the expediency of applying for the repeal of the Act to regulate the powers and duties of Public Administrators, &c. Adopted and directed to be printed.

THOMAS BOLTON, Clerk.

The Committee on Laws, &c., to whom was referred a communication from James Buchanan, Esq., her Britannic Majesty's Consul for this City, and also a resolution offered by the Alderman of the 16th ward,

REPORT:

That considering the communication, and the resolution re-

ferred to the same subject matter, they have thought it convenient to report on the whole matter at once.

The Consul states, "That by the general law governing Consuls, the care of unrepresented property of subjects dying abroad is fully recognized.

2. "That the Public Administrator assumes, by a general law of this State, the control of such property, and pays the proceeds into the Treasury of this City.

3. "That anxious to perform his duty in communicating to distant relatives and friends, information as to deceased persons and their property; he has successively applied for that purpose to the several Public Administrators, as well as the Comptroller, and has uniformly met with a refusal."

Your Committee have been attended by the Consul and the Public Administrator at different times, and have maturely considered the subject. At the outset of their investigation, they did not think it proper to enter into any examination of charges made against Eber Wheaton, Esq., late Public Administrator, inasmuch as death had placed him beyond their reach; and any malversation in his office may be remedied by a resort to the Courts. As far too as the allegation of his having refused the Consul information in regard to the property of deceased British subjects, that information may be found in the books and papers handed over to his successor, and are part of the public archives of his office. With respect to Mr. Harris Scovill, the present Public Administrator, he stated that since his appointment to office, he had had no case in which it was necessary to give notice to the Consul; that he had never been called on by any foreign Consul to give information as to the estates upon which he had administered; and in truth, Mr. Buchanan frankly admitted that he did not find any fault with the present administration of that officer. Your Committee have no doubt that it is a duty enforced by the highest considerations of justice and courtesy, that all proper information should, at all times, be given to any person

having any interest in the property of these deceased persons, which passes into the Public Treasury. This Corporation are mere trustees for those ultimately entitled to it, and can have no desire to retain it, or unworthily to conceal any facts, in order to prevent its being properly paid over. With this view, an annual report is made, with the names of those on whose estates the Public Administrator has administered; their professions, and the sums paid over, all of which is published for some weeks in the "Albany Argus," and in some paper in this city. The accounts of this officer are filed with the Surrogate, and may be contested there by the Consul, if deemed proper. Your Committee are, therefore, of opinion that the British Consul has not made out any just ground of complaint against the present officer, and that until application is made to him for information which he refuses, he cannot justly be amenable to censure.

Your Committee have had under consideration the resolution to apply for the repeal of the Act of the Legislature of this State, passed in 1837, giving power to any Consul or Vice-Consul, to administer on the estates of non-resident foreigners dying intestate, or who are not permanent residents at the time of their decease, unnaturalized and not having taken the ineipient measures for that purpose. This law appears objectionable in many respects.

1. In the great mass of cases, the question of residence must be settled. Lawyers are aware what extreme difficulty the question presents—what constitutes a residence. The late case of Samuel Denman will illustrate this matter. Denman came here in 1831 or 1832, and remained in this city till his death; he was a book-keeper, at a salary of \$1,200 per annum, and latterly had become interested in some property. He died unmarried; but in June last he sent for his sister and her two children, to come and live with him in this country. The Consul claimed administration, which was denied. Foreign Consuls have a right, by the law of nations, to take charge of the

effects of seamen belonging to their nation, dying here, and perhaps of official persons; beyond this, their right depends on the domestic regulation of the country in which they are accredited. This State has enlarged these powers to an extent, as your Committee are disposed to believe, not practised in any of the principal nations of Europe. The law clashes with the functions of the Public Administrator, and may lead to a distribution of the fund in the hands of the foreign Consul, unknown to the Statutes of this State, though agreeably to the provisions of his own country.

2, The law is so summary, that it may interfere with the just claims of American creditors, for the fund may be sent abroad on a "reasonable notice."

3. Foreign Consuls are not obliged to give notice of their application for letters of administration; nor do they give any security. Your Committee can see no reason why the Public Administrator should be required to give bonds in a large sum for the proper administration of his office, and that a foreign functionary, subject to be recalled at any moment by his government, and free here from suit, except in the Federal Courts, should be allowed to receive monies without any securities, but the respectability of his office and his own private character. Perhaps some force may be added to these views, by the decision of the Supreme Court of the United States, in the case of the *Antelope*, 10 Wheaton R., and the *Bello Corrunne*, 6 Wheaton R. That Court permits Consuls to defend the alleged property of individuals before the Federal Tribunals, but does not allow it to be removed from the public safeguard, until a special procuration is produced. Many other considerations in regard to this law, (some of them contained in an opinion lately given by the Surrogate,) owing to its obscurity, and the difficulty of its execution, have occurred to your Committee; but they are anxious to avoid unnecessary prolixity. They offer for the consideration of the Board the following resolutions:

Resolved, That the Committee on Laws be discharged from the further consideration of the communication of James Buchanan, Esq.

Resolved, That the Counsel of the Board take the necessary steps to procure the repeal or modification of the Act of the Legislature, passed at the sixtieth Session, April 21, 1837, chapter 234.

M. C. PATERSON,
D. RANDELL,
THOMAS S. BRADY.

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DOCUMENT NO. 59.

BOARD OF ALDERMEN,

JANUARY 15, 1838.

*Report of the Superintendent of Roads, on a resolution of the
Alderman of the 5th Ward. Ordered on file.*

THOMAS BOLTON, Clerk.

To the Honorable Mayor and Aldermen of the Common
Council of the City of New York:

In conformity to a resolution passed by the Board of Aldermen, on the 22d December, 1837, "*Resolved*, That the Superintendent of Roads report to this Board, at their next meeting, what work, if any, has been done on the public roads without directions from the Committee on Roads, or the Street Commissioner," your subscriber would most respectfully

R E P O R T :

The repairs done under his supervision, by orders from the

Committee on Roads, and the Street Commissioner, are as follows:

For repairing and gravelling Bloomingdale and Kings bridge road, from 21st street to Manhattanville; for cutting down Breakneck hill, four feet on the summit, and other repairs on said hill; for Macadamizing the road near Fort Washington hill, and other work done on said hill; for replanking Kings bridge, Hawley's bridge and Canal bridge, together with gravelling and repairing roads around said bridges; for gravelling the 8th avenue, near M'Cooms Dam, and building sewer on said avenue, near 122d street, together with other repairs done on the avenue; for repairing the 5th avenue and Middle road, and repairing the Macadamizing on the 3d avenue, and gravelling said avenue, between the Macadamizing and the sidewalks; for cutting down 84th street into avenue B, and opening said avenue into 86th street, together with building drains on 86th street; for repairing and building drains on the 6th and 9th avenues, 21st, 31st, 39th, 42d, 71st, and 79th streets, and the old bye roads in general. The repairs done in the last mentioned places are nearly as numerous as there are dollars charged.

I have given this account somewhat in detail, in order to give your Honorable Body an opportunity of knowing where and what kind of work has been done on the public roads. I have endeavored at all times to conform to the directions of the Committee on Roads and the Street Commissioner, to do the work as they ordered. I know of no work of any magnitude done without orders from the Committee on Roads or the Street Commissioner. With respect to orders on 79th street, I received them as follows: Mr. Warner, the Assistant Street Commissioner, informed me of complaints entered against 79th street, and requested me to see what was necessary to be done, and repair the worst places, which I did; a few days after the repairs were done, I was informed by the Assistant Street Commissioner of other complaints of the same street, and ordered to repair it. I accordingly repaired the said street, from the 3d avenue to the East River, and then

received orders from the Street Commissioner to repair the same street from the 3d to the 5th avenue, which orders were complied with. The Honorable Chairman of the Committee on Roads of the Board of Assistant Aldermen knew and approved of the repairs done on said street. I have always considered a verbal order sufficient from the Committee on Roads or either of the Street Commissioners, and have acted accordingly. The Honorable Chairman of the Committee on Roads and the Street Commissioner ordered me to see what light repairs were wanted and to do them, if necessary, I consider I have had orders for all the work that I have done since I commenced work on the public roads, and have always discharged the men, on the work as soon as ordered by the Committee on Roads, the Street Commissioner, or the work completed. All of which I would most respectfully submit to your Honorable body.

I am your most obedient servant,
EZEKIEL MAYNARD,
Superintendent of Roads.

DOCUMENT NO. 60.

BOARD OF ALDERMEN,

JANUARY 29, 1838.

The Committee on Streets, to whom was referred the report from the Board of Assistant Aldermen, in favor of the extension of Centre street, from Broome street to Houston street, presented the following report thereon, which was laid on the table and ordered to be printed, together with the names of the petitioners and remonstrants, for the use of the members.

THOMAS BOLTON, Clerk.

The Street Committee of the Board of Aldermen, to whom was referred the report and resolutions adopted by the Board of Assistant Aldermen, directing the extension of Centre street, from Broome street to the Bowery, at its intersection with Houston street, and also sundry petitions and remonstrances presented to this Board, respectfully

REPORT:

That they have given that consideration to the subject which its importance and the interest of the numerous petitioners and remonstrants seem to demand. Your Committee have, by public advertisement, given all persons interested an opportunity to express their views. Your Committee do not think it necessary to go into the detail of testimony taken before your Committee, as the report of the Committee of Assistant Aldermen, and the report of a Special Committee, to which they refer, have given a full and ample exposition of the reasons *for* and *against* the proposed opening, and also the reasons in favor of this particular route. Your Committee, after bestowing on the subject their best judgment, have arrived at the conclusion that Centre street ought to be extended, and that the route designated by the Board of Assistant Aldermen is the most judicious and least expensive, and they recommend a concurrence in the resolution adopted by the Board of Assistant Aldermen.

C. DE FOREST,

NEHEMIAH WATERBURY.

TO THE HONORABLE
THE COMMON COUNCIL OF THE CITY OF
NEW YORK,

The Memorial of the undersigned residents of the City,

RESPECTFULLY REPRESENTS—

That your memorialists have viewed with great satisfaction the authorized extension of Centre street from Pearl to Chatham street, and the widening of said street, from Pearl to Grand streets; and believing as they do that the benefits to be realized from this important public improvement will be materially enhanced by uniting it with some great throughfare, they respectfully call your attention to the accompanying Map, by which it will be perceived that your memorialists contemplate its extension from its junction with Broome street, until it intersects the Bowery at the corner of Houston street. So dense is the the throng that already transmits the movements of carriages and pedestrians in Broadway and the Bowery, that your memorialists deem it unnecessary to enter into a labored argument to prove the utility of opening an intermediate avenue to relieve them from a portion of their constantly increasing travel; and they therefore will only suggest the following reasons that have influenced them in the selection of the line before designated:

1. Your memorialists believe that the property through which the contemplated extension will pass is less valuable than on

any other route that has been suggested, and that consequently the assessment will be the least burdensome to those affected by the improvement.

2. It will afford a convenient channel of communication between all that portion of the city lying east of the 4th avenue, and north of Houston street; and the City Hall, the Post Office, the principal places of amusement, the Halls of Justice, and the whole business part of the city below, as its point of contact with the Bowery is almost in a parallel line with the 3d avenue, and forms a connecting link with the 2d and 4th avenues.

3. The property in a large portion of the city, now in an isolated and comparatively unproductive position, will be brought into value and usefulness, and the moral character of its population necessarily elevated.

4. Its connection with the 3d avenue will benefit real estate at a great distance from its outlet, and thus enable the Commissioners, by dividing the assessment among a large number of owners, to diminish the burden to individuals.

For the above and other reasons too obvious to notice, your memorialists solicit your Honorable Body to enact a law authorizing the said extension of Centre street, from its intersection with Broome street to a point at or near the corner of the Bowery and Houston street, according to the accompanying Map.

New York, January 28, 1837.

Charles Dusenberry, 83 Crosby street.

Adam Blackledge, 69 Spring street.

John M'Chain, 226 Orange street.

William John Coey, 224 Orange street.

Lawrence Chatterton, 35 Spring street.

William Jones, 130 Crosby street.

Francis McLin, 279 Mulberry street.

Charles C. Hatch, 150 Grand, corner of Centre street.

James H. Birdsall, 163 Centre street.
Nelson Sammis, 145 Centre street.
Henry Winston, 193 Mulberry street.
Henry L. Ryer, 145, Centre street.
Holden M. Winslow, 193 Mulberry street.
John M. Stevens, 147 Centre street.
Anson L. Storey, 155 Centre street.
W. S. Barns, 153 Centre street.
Adrastus Doolittle, 155 Centre street.
Lyman Cooley, 168 Mott street.
Robert Travis, 157 Centre street.
William Felton, 157 Centre street.
James Whiteright, 161 Centre street.
John Tappen, 165 Centre street.
William Johnson, 218 Orange street.
Daniel Reeder, 230 Bowery.
T. Russ Hibbard, 228 Bowery.
W. A. Hylllyer, 214 Bowery.
William Anderson, corner, 213 Mulberry street.
Henry R. Cox, 149 Centre street.
Samuel H. Cox, 149 Centre street.
Thomas Jackson, 175 Orange street.
W. W. Petrie, 92 Bowery and 147 Centre street.
Robert Pardow, 11 Crosby street.
John Allen, 146 and 148 Grand street.
John Asten, 88 $\frac{1}{2}$ Bowery.
S. Laney, 88 Bowery.
Israel Post, 88 Bowery.
E. Wines, 82 $\frac{1}{2}$ Bowery.
Joseph R. Brewster, 68 Bowery.
Charles W. May, 64 $\frac{1}{2}$ Bowery.
James Wines 62 Bowery.
Thomas Thompson, 344 Bowery.
Walter Leggett, 50 feet on Orange street, near Broome.
Samuel Cotton, jr. 96 Bowery.
Edward Mullen, 98 Bowery.

Moses F. Odell, 100 Bowery.
Peter V. Husted, 102 Bowery.
William Spencer, 104 Bowery.
S. S. Devoe, 106 Bowery.
Peter Brady, 108 Bowery.
Samuel S. Brower, 110½ Bowery.
Roger Williams, 19 Grand, corner of Bowery.
Andrew Petric, 147 Centre street.
J. B. Waisteil, 74 Hudson street.
Daniel Bushnell, 342 Bowery.
Lewis Doty, 347 Bowery.
Charles W. Timpson, 279 Bowery.
J. H. Waterhouse, 278 Bowery, opposed.
William Cavan, 226 Bowery.
William Vonck, 340 Bowery.
George Bruce, 39 Canal street.
Abraham L. Braine, 219 Mulberry street.
Ezekiel Hatfield, 55 Spring street.
Samuel G. Ogden, 418 Houston street.
Joseph Lane, 211 Elm street.
Samuel Gilman, 214 Elm street.
James M. Edgar, 58 Spring street.
Phillip Hebberts.
William A. Wisdom.
Nath. L. Asten.
Morris Haight.
Charles Hartshorn.
George Carstang.
William Jenkins.
Lewis P. Coutant, 189 Bowery.
Charles H. Jackson, 189 Bowery.
N. T. Duncombe, 31 McDougall street,
Thomas Hall. John Fawcett.
Thomas Corbett. Elijah B. Glenn.
Thomas Raven. Elisha Brotherton.
Charles Heckert. James P. Allaire.

Henry Collins.
S. J. Updike.
R. Ball.
John S. Patterson.
F. Young.

William G. Updike.
John L. Mott.
James T. Bertine.
Joseph W. Little.

To the Honorable the Common Council of the City of New York:

We the undersigned inhabitants of the City of New York, respectfully sheweth:

That we are owners and occupiers of property, on the northern part of Centre street, above Broome; and are desirous of having said Centre street extended, the width, as heretofore approved by your Honorable Body, to such convenient points of intersection with the Bowery, as lately adopted by the report of the Committee of Assistant Aldermen, as we are decidedly of opinion that it will tend to meliorate the conditions of property lying contiguous thereto.

Viewing with satisfaction the efforts which are making by your Honorable Body towards the moral improvements of certain positions of the city, which have been heretofore neglected, we therefore earnestly, but respectfully, pray your Honorable Body will grant us the above extension of said Centre street, and your petitioners, as in duty bound shall ever pray.

George Moore, 26 Prince street.
Lawrence Chatterton, 35 Spring street.
John Cummins, 37 Spring street.
Dennis Kehoe, 132 Crosby street.
James Mehan, 31 Spring street.
John Gafney, 42 Spring street.

Francis Corley, 205 Mott street.
Willie Anderson, 213 Mulberry street.
Robert Louge, 227 Elizabeth street.
John Burke, 223 Elizabeth street.
Grace McGonagle, 221 Elizabeth street.
Peter Cockrin, 212 Elizabeth street.
McReyley.
William Kurnan.
John Murray, 120 Centre street.
Sala Tobias, 122 Centre street.
N. Phillips, 210 Mott street.
Andrew Rainbo, 199 Mulberry street.
Edward Logue, 127 Walker street.
David Cudlipp, 247 Mulberry street.
William Jones, 231 Crosby street.
James Fagen, 215 Mulberry street.
Henry W. Brittir 153 and 155 Centre street.

To the Honorable the Mayor, Aldermen, and Commonalty of
the City of New York:

The petition of the undersigned citizens, interested in the
widening and extension of Centre street, in said city, respectfully sheweth:

That a large number of those who are bound to pay the
assessments made for the widening and extension of Centre
street, are very poor persons, who hold short leases, and
who would find it difficult at any time to raise the money; but
who, from the unexampled pressure of the present time, are
now utterly unable to do so.

That such are the pecuniary difficulties under which our

community is laboring, that owners of real estate are unable to obtain money even upon what has been heretofore considered as the best of security; and therefore, if the payment of heavy assessments should now be exacted from them, the consequences to many must be the seizure and sacrifice of their property by a forced sale; perhaps a prosecution for the ballance between the amount of assessment and amount of sale, and great pecuniary loss, if not utter ruin.

That at such a period of unparalleled pressure and suffering as the present is admitted and felt to be, by all classes of the community, no expense which can possibly be avoided ought to be incurred; and it becomes the duty of the representatives of the people to do every thing in their power towards the relief of their constituents.

That your petitioners are friendly to public improvements, but deem that they ought to be judiciously timed, as well as prudently proposed; when business is brisk, property rising in value, labor in demand, and prosperity general, the spirit of enterprise should be encouraged, and the work of public improvement accelerated; but when, on the contrary, money is scarce, trade destroyed, the value of property prostrated, and the utmost exertions of every man in business is required to prevent bankruptcy, and preserve to himself and family the means of subsistence, common prudence dictates the necessity of economy, both in our public and private expenditures, of retrenchment and careful moderation; of postponing, until a more fitting and propitious season, those works of public improvement, which, although wise and proper at another time, would be injudiciously, impolitically, and disastrously pushed forward at such a period as the present.

That without pretending to deny that the intended widening and extension of Centre street will be a public benefit; your petitioners are at a loss to perceive its immediate necessity; it appears to your petitioners to be one of those works which might very properly, and with injury to no one, be delayed for a year; and the effect of such a delay would be, to save

many from great pecuniary loss, and some from absolute starvation.

Under these circumstances, therefore, the stagnation of all business and the scarcity of money, the inability of owners of real estate to obtain loans even upon real estate security; the difficulty of those who own no real estate to supply themselves and families with the necessaries of life; and the obvious impropriety of selecting such a time for the exaction of heavy and ruinous assessments. Your petitioners respectfully pray your Honorable Body to take the matter into consideration, and to grant unto your petitioners an extension of time for the widening and extension of said Centre street; so that by an order or resolution of your Honorable Body, the widening and extension of said street may be directed to take place from the first day of May next; thus postponing the same for one year from the present time, at which, by an order or resolution of the Board it is now directed to commence.

And your petitioners will ever pray, &c.

A. Colvin
John L. Dillon
Richard Hassard
Oliver Knapp
Joel T. Clayton
Alexander Campbell
Zeori Davis
James Grant
John Cumings
Margaret Hifield
S. O. Donnell
Edward Sherlock
J. B. Auld
Thomas Holohan
Hosea Dugliss
Anderson Bogart
Wash'n. Judah

William Day
Thomas Bennett
James P. Whipple
Augustus Campbell
Robert Thompson
Edward Logue
John McGinnis
Shivers Parker
Jesse K. Weeks
Henry McCaddin
Thomas Conlan
Mathew Duff
Martin Waters
Catherine Geraghty
Thomas S. Brady
John Gilmartin
John I. Hart

Asher L. Lent	William Colvin
Edward A. Cook	William Dunn
M. and H. Kerrigan	John Corrigan, sen.
Rachel Correll	John Corrigan, jun
Samuel B. Reed & Co.	Luke Conyhu
Theophilus Russel	John Foote
Thomas Mahaney	John Bookhout
John N. Grenzeback	George Loring
by G. E. Grenzeback	John G. Tebbets
Samuel Roome	Chester Johnson
John McAtire	
William W. Vris, of the New York Gas Light Company.	

A list of the persons who petitioned to postpone the widening of Centre street, who are assessed for the improvement.

1837, June 1.

Andrew Colvin,	award \$1,105 00 720 00 }	Balance	\$385 00
John L. Dillon	. . . . .		299 00
Oliver Knapp	. . . . .		150 00
Joel T. Clayton	. . . . .		1,360 00
Alexander Campbell	. . . . .		289 00
John Dazert	award \$745 } 600 }	Balance	145 00
Margaret Highfield	award \$745 } 390 }	Balance	355 00
J. O. Donnel	. . . . .		3,625 00
Edward Sherlock	. . . . .		330 00
Hosea Douglass	. . . . .		20 00
Rachael Carrol	. . . . .		756 00
Samuel B. Reeves	. . . . .		864 00
Amount carried over			<u>\$8,578 00</u>

Amount brought over						\$8,578 00
John N. Grenzeback	.	.	.	.	.	1,319 00
Samuel Roome	.	.	.	.	.	225 00
William Day	.	.	.	.	.	450 00
Thomas Bennett	.	.	.	.	.	100 00
James Phillip	.	.	.	.	.	375 00
Edward Logue	.	.	.	.	.	90 00
John McGinnis	.	.	.	.	.	25 00
Shivers Parker	.	.	.	.	.	1,134 00
Thomas Brady, for Abraham Lewis	.	.	.	.	.	24 00
John I. Hart	.	.	.	.	.	75 00
Luke Corigan	.	.	.	.	.	88 00
John Foot	.	.	.	.	.	70 00
Gas Company	award \$11,321 }					000 00
	benefit 2,323 }	.	.	.	.
William Colvin	.	.	.	.	.	1,022 00
						<hr/>
						\$13,575 00

To the Honorable the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

The subscribers to this remonstrance, owners and lessces of property in the 14th ward, and in its immediate vicinity, have, with deep regret, observed that the Board of Assistant Aldermen had, at a recent meeting of that body, reported in favor of a project for the extension of Centre street on a diagonal course, from Brome street to Houston street, at its intersection on the Bowery ; thus traversing, at an almost acute angle, five of the most extensive blocks in that part of the city ; destroying, mutilating, and injuring every street, lot, and building in its course.

Against carrying into execution so destructive a plan, we do, for the following and many other reasons, most positively and strenuously, though respectfully, remonstrate and protest. We cannot admit, may it please your honorable body, in the first place, that the plan of extending Centre street in the way proposed, even was it conceded to be necessary, will be any improvement for general benefit, while we have Broadway to the west, and the Bowery to the east, of the proposed starting point on Broome street; but little more than 600 feet equidistant from each, and the proposed course for Centre street; and so far from being parallel to either of them, is projected to traverse the whole space, between Broome and Houston streets, as before stated, obliquely, at an acute angle; all of which is, in our judgment, wholly unnecessary; and calculated, not for public benefit, but for the promotion of individual interest.

In the next place, the destruction of property, and the enormous expense which would necessarily attend the completion of such a project, would fall most heavily on that class of the community least able to bear it: the cartmen, and others of the industrious and laboring classes; many of whom would be involved in ruin, by being deprived and turned out of property, for which they for years have toiled; and which, in many cases, with all the industry and economy possible, is already, through dire necessity, incumbered; on which incumbrances some of them are unable to pay the interest for the present year.

In the third place, may it please your honorable body, we beg leave to say, that, even if the proposed extension or improvement, as it is called, was to be one of general benefit, (which we are convinced it is not,) the present is not the time for imposing new burdens on the people, especially on those of the 14th ward. The severe and awful calamity which befel this city two years ago, it is well known to your honorable body, reduced many from a state of affluence to beggary; numbers of whom, that prior thereto, were fully able to pay

one dollar on the hundred for public improvements, when required for the general benefit, are now unable to pay one shilling; and have been compelled to encumber what little real estate they possessed. Nor are these the only reasons why, in the opinion of your remonstrants, new burdens should not, at this time, be imposed upon us; many others could be submitted; but we shall, at present, let one suffice; which is, in our judgment, sufficiently cogent; and which will, we trust, be, by your honorable body, so considered.

The overwhelming crisis which has just spread devastation, embarrassment, and almost general bankruptcy over this community; occasioning, as you are aware, so ruinous a revulsion in the value of real estate; making those, who but two years since considered themselves rich, poor indeed; and which has involved every other class, to a greater or less extent, in the general distress. Until, therefore, the sad effects of these distressing reverses shall have passed; which may require two, three, or more years; your remonstrants pray your honorable body to pause, reflect, and consider the objections they have set forth; and they cannot but entertain the hope, that, disregarding the example of your predecessors, in their mania for improvements, you will unanimously determine to lay this project aside; at least until the return of more prosperous times; a project fraught with evil, so unlikely to promote the public good, so destructive of the rights, and so injurious to the interests of many of your constituents.

And your remonstrants, as in duty bound, will ever pray.

New York, December 8, 1837.

S. Van Rensselaer, by his Attorney, N. Jarvis, four lots,
on Mulberry, near Spring street.

Peter Anderson, 223, Mulberry street.

J. Burges.

J. Burges, agent for N. Harris, for No. 167, Mulberry st.

George A. Jarvis.

Timothy Baldwin, lessee 395 Broome street.

Charles Osborn, agent for 145 Centre street, 64 Prince street, and 157 and 159 Grand street.

James K. Hamilton, No. 396 Broome street.

Mott S. Cannon, 270 Bowery, owner.

Elizabeth Idley, No. 30, and four lots adjoining, Mott street, corner of Prince street, owner.

Michael Gafney, 23 and 25 Prince street, owner.

John Loughlin, 19 Prince street, owner.

Michael McDermott, 208 Elizabeth street, owner.

Michael Doyle, 209 Elizabeth street, lessee.

John Hunn, 228 Elizabeth street, and four lots adjoining, lessee.

Thomas Doyle, Prince Corner of Elizabeth street, owner of two lots.

Moses Doyle, 195 Elizabeth street, lessee.

H. Maass, Elizabeth street, corner of Prince street, lessee.

J. H. Waterhouse, No. 278, Bowery.

John D. Spader, owner of three lots, south-east corner of Spring and Mulberry streets.

Mary Jones, owner and lessee of six lots on Spring and Mulberry streets.

Simcon Van Beuren, one lot, No. 191, Mulberry street.

Samuel Blatchford,	} Trustees of the Central Presbyteri-
O. Halsted,	
Rufus L. Weims	
George Mather,	
J. E. Cooley,	
Lewis Adams,	
Charles Williams,	an Church, Broome street, near
	Orange street

John Tice, 182 Mulberry street, owner.

Gabriel Van Orden, owner.

Ann Harris, 190 Mulberry street, owner.

Hugh McBride, owner.

Edmund Arrosmith, No. 189 Mulberry street, lessee.

Jane Hunt, 388, Broome street, owner.

Beekman Van Ness, 195 Orange street.

Daniel Dill, 51 Spring street, lessee.

- Elizabeth Cairns, 51 Spring street, lessee.
James Neeves, 186 Mulberry street, lessee.
E. Majastre, 386, Broome street, lessee.
Moriva Romaine, 147 Mott street, owner.
Thomas Farming, 145 and 135 Elizabeth street, two lots,
lessee.
Arnest Fink, 28, Spring street, owner.
Garret J. Hopper, No. 50 Spring street, lessee.
Hannah Gritman, 57 Spring street, owner.
John W. Somerindyke, lessee.
Thomas Mook, owner, Nos. 193, 195, and 197, Orange
street.
John C. Deeprat, owner, 417 Broome street.
Charles Hopper, owner from 10 to 12 lots, Elizabeth and
Houston streets.
Chester Clark, owner, 394, Broome street, and 185, Mul-
berry street.
F. R. Hibbard, No. 228 Bowery.
Frederick Shannand, No. 228 Bowery, and No. 8 Prince
street.
Charles Davis, 226½ Bowery.
I. H. Monarque, 224 Bowery.
William B. Humbert, 220 Bowery.
William Cavan, 226 Bowery.
David R. Hibbard, 219 Bowery.
Benjamin Gilmore, 230 Bowery.
Thomas Horton, 192 Bowery.
John Mitchell, 230 Bowery.
George L. Sloan, 163, Bowery.
Samuel M. Cully, 212½ Bowery.
John Henniger, 222½ Bowery.
William H. Albro, 230 Bowery.
Richard Richards, 236, Bowery.
James A. Daniels, 234 Bowery.
Francis Davis, 238 Bowery.
Bernhard & Weil, 270 Bowery.

Joseph E. Kelly, 268 Bowery.
 Michael Wallace, 280 Bowery.
 John Sneckner, 210 Bowery.
 S. W. Brigham, 208 Bowery.
 Charles M. Thomas, 206 Bowery.
 Wightman & Sperry, 204 Bowery
 Frederic Bill, 200½ Bowery.
 George Harman, 198 Bowery.
 Alfred P. Gail, No. 7 and 5 Spring street.
 William S. Smith, No. 127 Orange street.
 Charles Wheelock, 216 Bowery, 182 Elizabeth street.
 Thomas Jenkins, Nos. 230 Bowery, and 6 Prince street.
 S. S. Blackwell, No 54 Elizabeth street.
 Daniel Curtis, 169 Mott street.
 William Hibbard, for 226 and 226½ Bowery.
 Rose Dunn, No. 21 Prince street, owner.
 Rose Dunn, 223, Elizabeth street, lessee.
 John Harrison, 201 Mott street, lessee.
 George Hutton, 199 Mott street, owner.
 James Little, 197 Mott street, lessee.
 Michael Phelan, No. 33, Spring street, lessee.

E. J. Moore	}	Trustees of the 2d Wesleyan Chapel.
Mark Stephenson,		
John B. Dodd,		
Ralph Mead,		
Jacob P. Bunting,		
Benjamin Disbrow,		
James Albro,		
William A. Cox,		

Thomas Mason,	}	Agents for the Methodist Book Concern.
George Lane,		

Mark Stephenson, corner of Broome and Mulberry streets,
 three lots.

Peter Valteau, 251 Mulberry street.
 Eli Traver, No. 227, 229, and 231 Mulberry street.
 Daniel Bogert, No. 27 Spring street, owner.
 Henry R. Cox, Centre street, lessee.

Robert Brown, executor for the estate of Robert Brown,
for 286, 288, 290, and 292 Bowery; also, 381, 383, 385,
and 387 Houston street.

Jacob Weeks, Jun., } Copy { 248 Bowery; 239, 241 and
James Stevenson, } from { 243 Elizabeth st.; 3 cor's
Abel S. Smith, } original. { Elizabeth & Houston sts.

C. Bartlett, thirteen lots 3d avenue, 4th street, and the
Bowery, above Broome street.

S. Ely, (by C. Bartlett,) four lots on 3d avenue, corner of
11th street.

Conover & Pigot, corner of Spring and Elm streets.

R. A Reading, 203 Elm street, and 212 Orange street.

Samuel Rich, 56 Prince street.

William H. Pinkney, 373 Bowery.

A. W. Badeau, 260 Bowery.

James L. Francis, 258 Bowery.

Joseph Moreau, 388 Bowery.

Edward S. Innes, No. 188 Bowery, corner of Spring street.

W. J. Vooris, 371 Bowery.

Seth Needham, 3d avenue.

P & Z. Roberts, 186, Bowery.

Peter S. Webb, 3d avenue.

S. B. Ricard, 186 Bowery.

T. Thayer, 375 Bowery.

John Deblin, 354 Bowery.

Eugene Brown, 156½ Bowery.

James H. Chichester, 78 Bowery.

Elisha Haight, 58 Bowery.

R. Stephens, No. 171 Bowery.

Ritter Hudley, 164 Bowery, owner.

James W. Brown, 156½ Bowery.

A. C. Burr, 80 Bowery.

D. Darling, 8 11th street, near the Bowery.

Isaac Jarvis, Bowery.

William D. Disbrow, 386 and 391 Bowery.

Joseph Graham, Bowery and Elizabeth street.

Benjamin W. Valentine, 379 Bowery.
Jacob Van Norstrand, Bowery, 195.
William P. Armour, Bowery, 394.
James H. Adams.
William Johnson, 6th street, near the Bowery.
Lewis Doty, owner, corner of 3d street and the Bowery.
Walter Briggs, owner, Bowery.
A. B. Shankland.
Thomas Shepherd.
Leonard Curtis.
Joseph Foster.
Robert B. Harris, 190 Mulberry street.
Joseph A. Jackson, 90 Bowery.
John Comt, 74 Bowery.
Alexander Craw, 194 Hester street.
John Swift, Bowery.
Peter Asten, 88 Bowery.
William Van Alst.
E. P. E. B. Looker Mulberry street.
W. S. Munson, Mott street.
John Asten, 88 Bowery.
Benjamin M. Brown, owner.
Thomas Addison, 422 Broome street, owner.
John H. Ryerson, 279 Bowery, owner.
Nehemiah P. Anderson, 168 Mott street, owner.
Isaac Fryer, for Mary Brown. 400 Broome street, owner.
W. R. Cooke, agent for Ann Warner, 303 and 310 Bowery; and 268 and 270 Elizabeth street.
B. Skidmore, for estate of S. Norsworthy.

To the Honorable the Aldermen and Assistant Aldermen of
the City of New York:

The subscribers respectfully remonstrate against the plan

proposed to your Honorable Bodies, for the extension of Centre street, to the corner of Houston street and the Bowery; they are opposed to it because, by reference to a map of the project, now in the Street Commissioner's office, and a careful examination of it, they find that, by carrying said Centre street into the Bowery, in the immediate manner proposed, the alteration would be detrimental to the interests of those individuals whose property would be taken wholly, or in part, for the alteration; and without the important benefit to the public which might be ensured, if Centre street were extended so as to approach nearer to the 3d avenue than is now designed.

The subscribers beg leave to state, that the proposed line of Centre street cuts all the property, through which it passes, in a most disadvantageous manner. The line passes very obliquely through each block; and not only leaves three gores, and in two places renders it necessary that five corners should point on said street, but also destroys numbers of lots, so as to leave little or no room for building on them, with fronts on the street aforesaid. The subscribers think, therefore, that by adopting the plan to which they object, the Corporation would not render the extension of Centre street such an improvement as would adorn, or benefit the city; but would very seriously injure numbers, whose property would be required for the proposed improvement.

The subscribers beg leave to state further, that the petition praying for the present plan of extending Centre street, is not subscribed by many persons holding land in the vicinity of the proposed alteration, while the subscribers are all landholders in said vicinity—a fact to which they allude for the purpose of suggesting, that the subscribers will be more immediately affected by the proposed measure, than those who advocate its being carried into effect.

The subscribers also state, that as they have always considered, and now believe, the chief object in extending Center street, in a northerly direction, was, to connect the same, in

some way, with the 3d avenue; and render the communication, between the latter important thoroughfare and the lower part of the city, more immediate and convenient; and they feel confident that, if this object were effected, the owners of property on the avenue would willingly contribute, in a liberal manner, to the alteration; while, there is every reason to presume, that, if the alteration be completed in such a manner as to terminate Centre street in the Bowery, as now contemplated, the said owners will not deem the alteration an improvement, as respects its effect on their property, and the avenue.

The subscribers respectfully make these suggestions for the purpose of showing, that the proposed design for the extension of Centre street, should receive your most careful scrutiny; and they pray that you will inquire into the objections to the same; as they feel perfectly convinced, that the designed improvement can be effected with much greater advantage than would result from its consumation in pursuance to the plan now proposed; and they consider that this increased advantage may be best ensured by terminating Centre street, when extended, at a point nearer to the 3d avenue than the one now selected for its termination.

Dated New York, February 13, 1837.

John D. Spader, 110 feet on Mulberry street, and 50 feet on Spring street.

Arnest Fink, 102 feet on Mulberry street, and 25 feet on Spring street.

Robert B. Harris, 190 Mulberry street, 25 by 100 feet.

Jane Cahoon, 100 feet on Mulberry street, corner of Spring street.

Mary Jones, 110 feet on Mulberry street, 25 feet on Spring street.

Michael Gafney, 42 feet on Prince street, between Mott and Elizabeth streets.

Elizabeth Idey, 100 feet on Prince street, 125 on Mott street, corner.

Mary Ann Idley, 100 feet on Prince street, 125 on Mott street, corner.

Patrick McCafferty, 24 feet front on Elizabeth street.
her

Mrs. Lock & Conran, 21 feet on Prince street, between Mott mark.
and Elizabeth streets.

Michael McDermott, 20 feet on Elizabeth street.

Terence Duffee, 20 feet on Elizabeth street.

Thomas Doyle, } 50 feet on Prince street, and 100 feet on Eli-
Moses Doyle, } zabeth street, corner.

Mary McCafferty, 60 feet on Mott street, between Prince and Houston streets.

John Laughlin, 21 feet on Prince street, between Mott and Elizabeth streets.

Prtrick Daly, 21 feet in Prince street, corner of Elizabeth st.

Michael Doyle, 20 feet in Elizabeth street.

James Mc Mulley, 21 feet on Elizabeth street, near Prince st.

Patrick Lee, 40 feet on Elizabeth street.

E. O'Brine 25 feet on Mott street.

Francis Corley, 25 feet by 100, on Mott street; distant 150 feet from the corner of Prince street.

Patrick O'Connor, 21 feet by 93, on Mott street, near Prince.

John Molloy, 20 feet by 96, on Mott street, near Prince street.

Mary Ann Smith, 25 feet by 100, on Mulberry street.

Alexander Dixon, 22 feet on Mulberry street.





DOCUMENT NO. 61.

BOARD OF ALDERMEN,

FEBRUARY 12, 1838.

The Committee on Police, Watch and Prisons, to whom was referred the petition of the Weighers of Anthracite Coal, asking for an alteration of the Law relative to their duties, &c., presented the following report thereon, together with an Ordinance on that subject, which was laid on the table, and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Police, &c., to whom was referred the petition of William Cadle, William S. Cadle and S. D. Throop, a Committee of the Weighers of Anthracite Coal,

REPORT:

That the whole subject has been, for a long time, under consideration, and they have arrived at the conclusion, that many

of the representations of the petitioners are just, and that the present law is inadequate in effecting its own object, to wit: the securing to the purchaser the absolute amount bought by him. In order to do this, your Committee have found themselves obliged to remodel the present ordinance, in many respects, which it is needless to repeat here. They beg leave to offer the draft of an ordinance herewith for adoption.

M. C. PATERSON,
C. DE FOREST.

A LAW

To Regulate the Sale of Anthracite or Hard Coal, in the City of New York.

TITLE I.

Of the appointment of Weighers of Anthracite or Hard Coal, and their duties.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. There shall be appointed by the Common Council, twenty discreet and competent persons as Weighmasters, who shall be called Weighers of Anthracite or Hard Coal, for the City of New York, who shall hold their office during the pleasure of the said Common Council.

§ 2. The said Weighers shall severally take and subscribe an oath or affirmation, well and faithfully to perform the duties of their respective offices during the term of their appointment.

§ 3 The Weighers at present holding the appointment of Weighers of Anthracite or Hard Coal, in the City of New York, are hereby constituted and appointed the Weighers of Anthracite or Hard Coal, under and by virtue of this law.

§ 4. No person shall weigh any Anthracite or Hard Coal, in the City of New York, for any private person or persons,

without having received an appointment from the Common Council, as Weigher of Anthracite or Hard Coal, for the City of New York, under the penalty of thirty dollars for each offence.

§ 5. If either of the said Weighers shall be unable, in consequence of sickness, or other disability, to attend to the duties of his office, he may, with the approbation of the Mayor, expressed in writing, employ a sober discreet person to attend to the duties of his office during such disability.

§ 6. The person appointed in the place of any of the said Weighers, by virtue of the last preceding section of this title, shall take an oath or affirmation, well and faithfully to perform his trust; and the Weigher, in whose stead such person is deputed, shall be accountable for the official conduct of such person.

§ 7. The said Weighers shall not act as Weighers of any other article or thing excepting Anthracite or Hard Coal, under a penalty of fifty dollars for every such offence.

§ 8. The said Weighers shall place scales at such locations as the Committee on Streets may specify, at which scales, or at scales provided by the venders of coal, at their yards, all coal shall be weighed.

§ 9. All anthracite or hard coal which shall be sold within the City of New York, shall be first weighed by one of the said Weighers of Anthracite Coal, and two thousand pounds of dry coal shall be allowed to the ton, and a suitable allowance in the weight shall be made by the Weigher who shall weigh the same when the coal is wet or damp.

§ 10. No vender of coal shall sell, nor shall any cartman cart or transport any anthracite or hard coal from any coal yard, or other place in the City of New York, without being first weighed as aforesaid, under the penalty of fifty dollars for every load or part of a load so sold, or so carted or transported.

§ 11. In any action brought to recover said last penalty, the

proof of a load or part of a load of anthracite coal being carted or transported from a coal yard, or other place, shall be deemed sufficient evidence in law that the same was sold, subject to be rebutted by testimony on the part of the defendant, that the same was not sold.

§ 12. In any action brought to recover said last penalty, it shall be incumbent on the defendant to produce the certificate of a Weigher, or other sufficient proof, to show that the coal was weighed by one of the Weighers of Anthracite or Hard Coal, for the City of New York, and the neglect or refusal to produce such certificate or other proof as aforesaid, shall be considered sufficient evidence that the said coal was not weighed by one of said Weighers.

§ 13. The said Weighers of Anthracite or Hard Coal shall be respectively entitled to demand and receive twelve and a half cents for each and every ton of coal, by them respectively weighed, and so in proportion for any less quantity; one half to be paid by the seller, and the other half by the buyer; but the seller shall be liable for the whole of the said fee in the first instance.

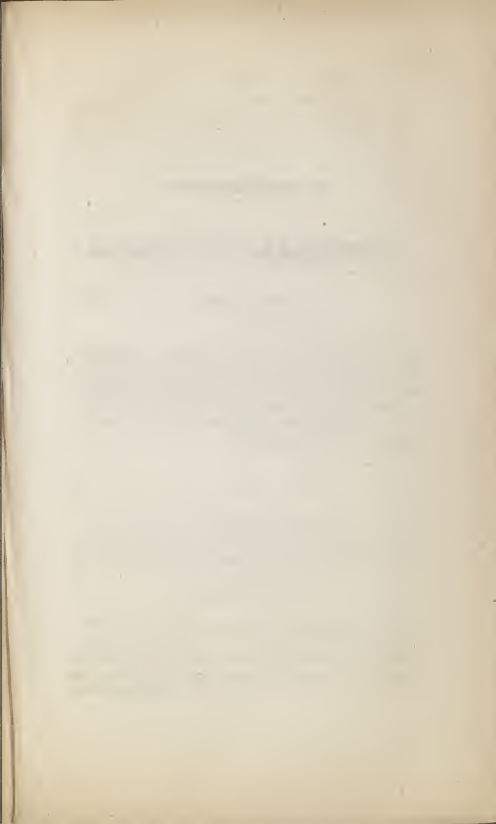
§ 14. No Weigher of Anthracite or Hard Coal, in the City of New York, shall ask, demand or receive more or larger fees for his services than are herein and hereby allowed, under a penalty of fifty dollars for every such offence.

§ 15. If any vender of coal shall refuse to allow to any Weigher of Anthracite or Hard Coal, free access to his premises, and the use of the scales in his yard, without charge therefor, for the purpose of weighing his coal, then such vender shall be obliged to send his coal to some scale (erected by the Weighers) for the purpose of being weighed, under the penalty of fifty dollars for each offence.

§ 16. Each Weigher shall give a certificate to accompany each and every load of coal weighed by him, containing the number of the cart, if driven by a licensed cartman, if not, the name of the owner of the cart, the amount of coal, and the

number of the certificate, together with the date thereof, all to be filled up in the hand writing of and subscribed by the Weigher, under the penalty of ten dollars for each neglect.

§ 17. All laws heretofore made, regulating the sale of Anthracite or Hard Coal in the City of New York, are hereby repealed.





DOCUMENT NO. 62.

BOARD OF ALDERMEN,

FEB. 12, 1838.

The Committee on Police, &c., of both Boards, to whom was referred the resolution relative to the re-organization of the Police Department, presented the following Report and draft of a Law thereon, which was laid on the table, and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Police, &c. of both Boards, to whom was referred the resolution referring the report of a Select Committee on the re-organization of the Police Department

REPORT, IN PART:

That they have directed their principal attention to the organization of the Watch. The welfare of the city is deeply interested in its efficiency, while the tax payer is aware that the expenditures in this department amounted last year to about \$262,000.

Your Committee believe that this branch of the Police requires that a thorough system of subordination and close and active inspection should be introduced into its administration, if the protection of property and the preservation of the public peace are to be promptly and effectually secured. In the ordinance now presented, provisions to this effect have been introduced. A head has been set over the department, who is responsible for the manner of its administration; control and regulation and order will be thus introduced, where before very little of these characteristics existed; dismissed Watchmen will no longer be able to find, after having neglected their duty, that they can find employment in another district; and the rules by which Captains of the Watch discharge their duties, will not be as diverse as the respective Watch Houses they occupy. The Roundsmen now go out to visit the posts two at a time; this service can as well be performed by a single Watchman, and the inducement to gossip and idleness is removed. Your Committee are of opinion that a valuable improvement has been made, by giving the Roundsmen or Sergeant a command over the Watchmen on a certain number of posts; it secures unity of action, and prevents the exercise of those discordant effects arising from the different views of half a dozen Watchmen. Besides, the Sergeant is constantly patrolling among his men through his beat, and has thus greater opportunities of observation than under the present system.

The change proposed by the Committee is also recommended by its economy—a virtue very praiseworthy at this moment. There will be a saving of at least \$20,000 annually to the city, while your Committee are confident that the Watch Department will be better organized and more effective than it has been before. They therefore recommend the passage of the ordinance herewith submitted.

The Charter gave full power to the Mayor to appoint any number of Marshals. By the Act of the Legislature, April 8, 1813, this power was limited to the number of sixty, and sub-

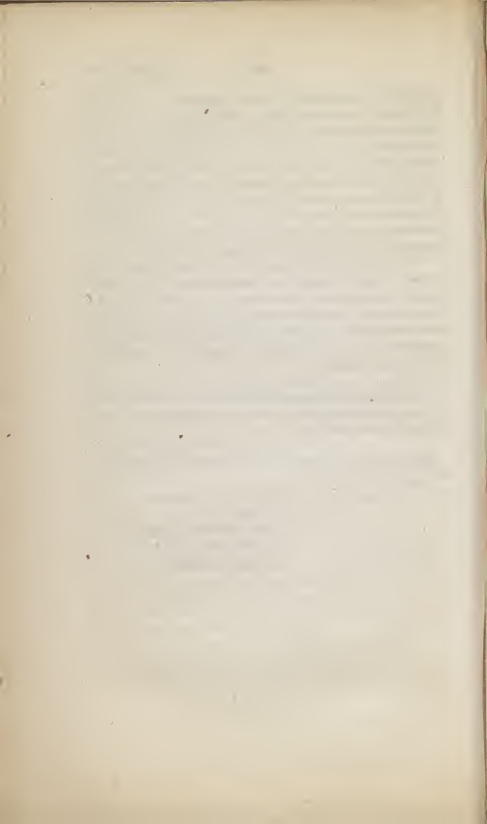
sequently to one hundred. It is not necessary here to inquire how far the power of the Mayor has been infringed; but it appears equally proper, that if the original power be taken away, it ought to be re conferred; the necessity constantly arising from the increase of population and business, demonstrate the propriety of the Common Council possessing the power to fix on the number of these officers so to be appointed by the Mayor from time to time. 'It seems equally just that the Mayor should have power to appoint Special Constables, competent to arrest offenders and preserve the peace.

The increase of the city has made it necessary to add to the number of Special Justices for preserving the peace. This power, in the opinion of your Committee, ought to be vested in the Common Council, to be exercised in such way, and at such times, as they shall from their knowledge of the public wants determine. They therefore recommend the passage of the following resolution :

Resolved, That the Counsel of the Board take the necessary steps to procure the passage of an Act by the Legislature, securing the above subjects.

Your Committee herewith submit a draft of the proposed Act.

M. C. PATERSON,
C. DE FOREST,
MORRIS FRANKLIN,
J. WESTERVELT,
CALVIN BALIS.



AN ACT

Relative to the Police of the City of New York.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1. The Mayor of the City of New York may appoint so many Marshals and Special Constables, as the Common Council of said city shall, from time to time, by ordinance, direct; who shall hold their offices during the pleasure of the Mayor.

2. The said Special Constables shall possess all the powers, in relation to the arrest of offenders and the preservation of the peace, as are now possessed by the Constables and Marshals of said city.

3. The Common Council of the said city may appoint as many Special Justices, for preserving the peace in the said city, as they shall think necessary and, by ordinance, first direct; may establish Police Offices at such places as they may deem necessary; and assign any Special Justice, now or hereafter to be appointed, to any offices, as they shall deem best for the public interest; and such offices, when so established by ordinance, shall be considered, for all legal purposes, Police Offices of the said City.

THE HISTORY OF THE

REIGN OF KING CHARLES THE FIRST

BY

JOHN BURNET, BISHOP OF SALISBURY

IN THREE VOLUMES.
THE FIRST VOLUME.
FROM THE BEGINNING OF HIS REIGN
UNTIL HIS DEATH.
LONDON, Printed by J. Streater, at the
Sign of the Gun, in St. Dunstons Church
Lane, 1680.

A LAW

To establish and regulate the Watch Department.

TITLE I.

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows:

§ 1. That there shall be appointed by the Common Council a discreet and suitable citizen, who shall be known as Superintendent of the Watch.

§ 2. The said Superintendent of the Watch shall, before entering on the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform the duties of the said office.

§ 3. There shall be appointed by the Common Council of the City of New York twelve persons, being citizens of this State, and inhabitants and householders of this city, to be Watchmen of the said City, who shall be denominated Captains of the Night Watch.

§ 4. There shall be appointed by the Common Council two Watchmen, under the command of each Captain, who shall be

citizens of the United States and householders, who shall be known as Assistant Captains of the Watch.

§ 5. There shall be appointed 128 Watchmen, who shall be known as Sergeants of the Watch.

§ 6. There shall be appointed by the Superintendent of the Watch, by and with the consent of the Mayor of said city, 916 Watchmen, who shall be citizens of the United States and householders of the city of New York; and such further number as may be, from time to time, directed by the Common Council; the Watchmen to be attached to the several districts as follows:

To the 1st district 140 men, of whom 20 shall be Sergeants.

To the 2d district 148 men, of whom 20 shall be Sergeants.

To the 3d district 164 men, of whom 24 shall be Sergeants.

To the 4th district 140 men, of whom 20 shall be Sergeants.

To the 5th district 136 men, of whom 20 shall be Sergeants.

To the 6th district 188 men, of whom 28 shall be Sergeants.

§ 7. The said Captains, Assistant Captains, and Sergeants shall, before entering on the duties of their office, take and subscribe an oath or affirmation, to be prescribed by the Mayor, well and truly to perform the duties of their office.

TITLE II.

Of the Duties and Compensation of the several Members of the Watch.

§ 1. It shall be the duty of the Superintendent to constantly inspect the Watch, in the performance of their duties; to suggest, from time to time, any changes which may contribute to the efficiency of the Watch; to keep, in a proper register, the names of all Watchmen; if removed at any time, for what cause; to have the entire command of the whole force, under the direction and orders of the Mayor; and, generally, to have the charge and superintendence of the Watch

Department ; subject to such ordinances and regulations as the Common Council may establish.

§ 2. He shall hold his office for four years, unless sooner removed by a vote of two-thirds of the Common Council.

§ 3. The said Captains shall have command of the other City Watchmen, to be appointed as aforesaid. It shall be the duty of the said Captains, under the direction of the said Superintendent, to fix the stations, or rounds, of the Watchmen, within the districts which shall be assigned to them ; to prescribe the duties of the several Watchmen under their command, and to see that those duties be faithfully executed ; to visit, when on duty, each of the fixed stations of the Watchmen under their command, at least once every night ; and see that the Watchmen in their respective districts do not unnecessarily quit their stations, sleep on their posts, or otherwise neglect their duties.

§ 4. Each of the said Captains shall have power, and they are hereby required, whenever, in their opinion, any of the Watchmen, under their respective command, shall be guilty of any misconduct or default, to suspend them from their duty as Watchmen, and report them forthwith to the Superintendent ; who may remove them from the Watch, or return them to duty.

§ 5. The Captains of each district shall attend, on alternate nights, and take command of his Watch ; in case of his absence, the oldest Assistant on his Watch shall assume his duties.

§ 6. The Captains, Assistant Captains, and Watchmen, shall do duty in the respective districts assigned to them particularly ; but in case of a riot, disorder, or other needful occasion, they, or so many of them as shall be required and directed, shall assist the Watchmen in other districts.

§ 7. The Captain of each district shall, the next morning, as early as conveniently may be, after his tour of duty, make a return, into the office of the Justices of the Police, of all persons arrested. The said returns from the First, Se-

cond, and Sixth Districts, shall be made, and the prisoners therein named shall be conveyed to the Lower Police Office; and from the Third, Fourth, and Fifth Districts, such returns shall be made, and such prisoners conveyed, to the Upper Police Office.

The Captain of each district shall also make a return, agreeably to the form furnished by the Clerk of the Common Council, containing the number and names of all absent Watchmen on the night preceding; with the names of all persons who may have done duty as substitutes. He shall keep, in a book to be provided for that purpose, a copy of every such return, by him made as aforesaid; and shall exhibit the same for the information of the Common Council, when required; and to the Superintendent, on the first Monday of every month. He shall report to the Superintendent, and without delay, the name of every Watchman under his command, who shall be intoxicated while on duty; or shall, in any manner, misbehave himself, or neglect any of the duties required of him, to the end that such Watchman may be dismissed.

§ 8. Each Captain respectively shall, from time to time, report to the Superintendent every vacancy happening in the number of Watchmen under his command, with the names of such as he may recommend to fill such vacancy.

§ 9. It shall be the duty of the Assistant Captains to aid the Captains in the discharge of their duties, to obey their orders, and to take charge of their respective watches when the Captains are absent on duty from their Watch Houses.

§ 10. In case of the absence of such Assistants or either of them, the respective Captains of the Watch are hereby authorized and required to appoint a person or persons in the stead of such Assistants, during such absence, who shall perform the same duties, and be entitled to the like compensation with such Assistants.

§ 11. The Captains and Assistants are removable at the pleasure of the Common Council.

§ 12. The Sergeants of the Watch shall, under the orders of their respective Captains, have the charge and inspection of the Watchmen within the beat assigned to them by the Captains of the Watch; shall go out with said Watchmen and place them on their posts; shall constantly visit them during the time of their being on duty, and report any neglect thereof to the Captains of the Watch; and in case of sudden emergency, said Watchmen shall receive and obey the orders of said Sergeants.

§ 13. In case of the absence of any or either of the Watchmen, it shall be the duty of the respective Captains to employ substitutes to supply their places; and such substitutes, when on duty, shall be vested with the same powers, be subject to the same regulations, and entitled to the like pay with the regular Watchmen.

§ 14. The said Watchmen shall receive into their custody, and detain until the next morning, and until discharged or committed by the proper authority, every person apprehended and delivered to them for any offence whatsoever, after the watch shall be set.

§ 15. Each of the said Captains and Assistants, and every Watchman, shall, for the purpose of preserving the peace and good government of this city, obey all orders given for that purpose by the Mayor, Recorder, or either of the Aldermen or Assistants of the said city for the time being, and also of the Justices of the Police, or either of them, on pain of removal from office.

§ 16. The Superintendent of the Watch shall receive a salary of \$ per annum. The Captains of the Watch shall receive for every night actually on duty, the sum of \$2 50. The Assistant Captains shall receive as aforesaid, \$2 00 for every night. The Sergeants of the Watch shall receive as aforesaid, \$1 50. The Watchmen and substitutes shall receive as aforesaid, \$1 25.

TITLE III.

Of the accountability of the Captains of the City Watch.

§ 1. That the Captains of the City Watch shall, before entering upon the duties of their offices, respectively execute a bond with one good and sufficient surety, in the penal sum of \$3,000, to be approved by the Finance Committee of both Boards, and payable to the Mayor, Aldermen and Commonalty of the City of New York, conditioned for the faithful performance of the duties required of them by law; said bond to be filed in the office of the Comptroller of this city.

§ 2. That it shall be the duty of the Captains of the City Watch, at the time of applying for the usual warrant on the Treasurer, for the payment of the City Watch, to furnish the Comptroller with a copy of their pay-roll for the two preceding weeks disbursements; which pay-roll shall cover the sum last drawn, and be certified by the Captain and his Assistant, and the same, together with the application for the monies, shall be filed by the Comptroller as a part of the Documents of his office.

TITLE IV.

Of the appointment of Watch Districts and location of Watch Houses.

§ 1. The City shall be divided into six Watch Districts as hereinafter provided. To each of the said districts shall be assigned two of the said Captains and two Assistants.

§ 2. The first district shall comprehend all that part of the city lying south of the middle of Fulton street, from the North to the East River.

§ 3. The second district shall comprehend all that part of the city, beginning at the East River, at the foot of Catherine

street, and running thence through the middle of Catherine street to the foot of the Bowery ; up the middle of the Bowery to Rivington street ; through the middle of Rivington street to the East River ; down the line of the East River to the place of beginning.

§ 4. The third district shall be composed of all that part of the city, beginning on the North River, at the foot of North Moore street ; thence running through the middle of North Moore street to Chapel street ; through the middle of Chapel street to Canal street ; through the middle of Canal street to Broadway ; up the middle of Broadway to Howard street ; through the middle of Howard street to Centre street ; through the middle of Hester street to the Bowery ; through the middle of the Bowery to 8th street ; through the middle of 8th street to Greenwich lane ; through the middle of Greenwich lane to Christopher street, to the North River, and down the line of the North River to the place of beginning.

§ 5. The Fourth Watch District shall comprehend all that part of the city, now or hereafter to be included in the Watch and Lamp District, and lying to the northward of the Third Watch District, and to the westward of a line drawn through the middle of the Bowery road and the 4th avenue.

§ 6. The Fifth Watch District shall comprehend all that part of the city, now or hereafter to be included in the Watch and Lamp District, and not embraced in the other districts above described.

§ 7. The Sixth District shall be composed as follows : beginning at the North River, and running through the middle of North Moore street to the middle of Chapel street ; up the middle of Chapel street to the middle of Canal street ; up the middle of Canal street to the middle of Broadway ; through the middle of Broadway to the middle of Howard street ; through the middle of Howard street to Centre street ; through the middle of Centre street to Hester street ; through the middle of Hester street to the Bowery ; through the middle of the

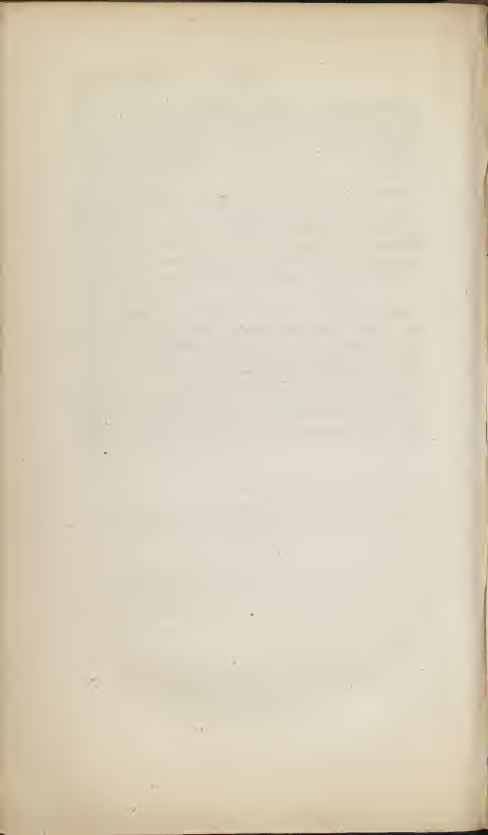
Bowery to Catherine street; through the middle of Catherine street to the East River; down the line of the East River to Fulton street; through the middle of Fulton street to the North River, and up the line of the North River to the place of beginning.

§ 8. The secure rooms adjoining the principal watch room, shall be used as the places for detaining prisoners in custody; but the Captain of the Watch may, in his discretion, permit a prisoner who behaves orderly, to remain in the principal watch room; such permission however, is to be considered as a matter of indulgence and not as a matter of right, on the part of the prisoner.

The Mayor of the City of New York, for the time being, is hereby vested with power to superintend and regulate and control the City Watch, in conformity with this law.

The Law to regulate the City Watch, passed February 11, 1834; a Law in addition to the same, passed February 17, 1837; a Law to amend the same, passed April 27, 1836, and the Law touching the accounting of the Captains of the Watch, passed December 26, 1834, be and the same are hereby repealed.





DOCUMENT NO. 63.

BOARD OF ALDERMEN,

FEB. 12, 1838.

The Committee on Laws, &c., to whom was referred the subject relative to the sale of Charcoal, &c. from the Board of Assistant Aldermen, together with an Ordinance, presented the following report thereon, which was laid on the table.

THOMAS BOLTON, Clerk.

The Committee on Laws, &c., to whom was referred the resolution from the Board of Assistant Aldermen, and the report thereon, in regard to the regulation of charcoal waggons,

R E P O R T :

That they have duly considered the subject and the ordinance in relation to the same, and recommend a concurrence on the part of the Board, and the final passage of the said ordinance.

M. C. PATERSON,
D. RANDELL.

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AN ORDINANCE,

Regulating the Measurement and Sale of Charcoal.

1st. The Common Council shall appoint a Measurer General, and not less than twenty, nor more than thirty Measurers of Charcoal, who shall hold their offices during the pleasure of the Common Council.

2d. If any dispute shall arise between the purchaser and seller, or between either of them and the Measurer, respecting the measure of any charcoal, such dispute shall be submitted to the Measurer General, whose determination shall be final.

3d. The Measurer General is hereby authorized and required to superintend the Measurers appointed under this ordinance, and to allot to each, as equitable a portion of the measuring as the nature of the case will admit; and the Measurers are required to follow such instructions or directions as they, or either of them may, from time to time, receive from the Measurer General, in relation to the duties required of them by law.

4th. The fees for measuring charcoal shall be, and continue at the present rate established by law, viz., one cent a bushel, to be paid one half by the buyer, and one half by the seller; but shall be paid by the employer in the first instance; and shall be divided equally among the Measurers, including the Measurer General appointed under this ordinance.

5th. The Measurers shall account to or pay over to the Measurer General, on Saturday of each week, the fees received by them respectively ; and it shall be the duty of the Measurer General immediately to make a fair and equal adjustment and distribution of the fees so received, between himself and the said Measurers.

6th. The present Measurers of Charcoal shall continue to hold and exercise their offices until the appointments are made under this ordinance, unless sooner removed by the Common Council.

7th. Any person attempting to exercise the duties of Measurer of Charcoal, without being duly appointed and authorized by the Common Council, and having taken upon himself the oath of office, shall forfeit and pay for every offence, fifty dollars.

8th. No person shall hawk or peddle charcoal in the City of New York, without a license from the Mayor, under a penalty of fifty dollars.

9th. The Mayor shall, from time to time, license such person or persons as he may think proper, upon receiving from such person the sum of twenty dollars.

10th. The person to whom such license shall be given, must be owner of a good horse and cart or waggon ; a citizen of the United States ; over twenty-one years of age, and must have been a resident of the City of New York for six months preceding the granting such license.

11th. Every cart or waggon shall have the number of the license, and also the word *Charcoal* fairly painted with black letters on white ground, in a conspicuous place on both sides of the cart or waggon ; the letters and numbers to be not less than two inches long.

12th. The Mayor shall administer an oath or affirmation to any applicant for a license, and shall examine such person orally touching his application and qualifications to receive such license.

DOCUMENT NO. 64.

BOARD OF ALDERMEN,

FEBRUARY 12, 1838.

The following Message was received from his Honor the Mayor, enclosing the Annual Report of the Treasurer of the Trustees of the Sailors' Snug Harbor, which was ordered to be printed and placed on file.

THOMAS BOLTON, Clerk.

MAYOR'S OFFICE, New York, February 12, 1838.

Gentlemen of the Common Council:

I transmit herewith the Annual Report of the Treasurer of the Trustees of the Sailors' Snug Harbor, of receipts and disbursements, from the 31st December, 1836, to the 31st December, 1837.

AARON CLARK.

TO THE HONORABLE
THE MAYOR, ALDERMEN AND COMMONALTY
OF THE CITY OF NEW YORK.

The Annual Report of the Treasurer of the Trustees of the Sailors' Snug Harbor, showing the receipts and disbursements on account of the Trust, from the 31st December, 1836, to the 31st December, 1837. Also the present state of the funds, and estimate of income for the year 1838.

By Cash, balance 31st December, 1836	\$1,936 39
Ground rent, collected in 15th ward	18,768 25
Ground rent, collected in 1st ward	2,850 00
Interest on Bonds and Mortgages	6,446 03
Dividends on Bank Stock	2,194 00
Outstanding rent collected	242 37½
Interest on outstanding rent collected	2 68
Eighty-three transfers of leases	166 00
I. Bodine's note collected	85 42
Sundries, sold from the farm	498 05
	<hr/>
	\$33,189 19½
	<hr/>

Disbursed, from 31st December, 1836, to 31st December 1837,

Sundry loans on Bonds and Mortgages	\$18,500 00
Annual Legacy to Betsey Shields	100 00
Stock in the Bank of the State of New York, eight shares	800 00
Repairing reservoir, main building, fences and grounds	1,192 96½
Corporation taxes and assessments	287 72
Yearly wages to the Gardener	200 00
	<hr/>
Amount carried over	\$21,080 68½

Amount brought over	\$21,080 63½	
Expenses of the farm, including wages of		
Farmer and Assistant	835 06	
Salary, &c., to Mr. Mulligan, as Chaplain	181 00	
Premium of Insurance, and premium on		
Bank Stock	140 22	
Carpenters' and Smiths' work	178 92	
Paving in the 15th ward	153 42	
Medicine and attendance at Snug		
Harbor	\$289 35	
Fifty tons Anthracite Coal, and		
Wood	468 25	
Twelve months' wages, Baker,		
Matron and Nurses	642 00	
Wearing apparel, beds and bedding	1,149 55½	
Groceries, flour, bread, and light		
for the building	3,261 30	
Butcher's bill for supply of beef .	1,115 76	
Shoes and mending	166 51	
Freight and pass tickets, per steam-		
boat, to New York	100 53	
Furniture and crockery for the		
Snug Harbor	221 33½	
Refreshments for the Trustees, at		
various times	126 67	
Salaries and contingent expenses	2,335 79	
Hardware	62 84	
Turning lathe	23 00	
Cash, balance	647 00	
	<hr/>	\$10,609 89
		<hr/>
		\$33,189 19½
		<hr/>

Present state of the Funds estimated at par:

326 shares of Manhattan Bank Stock	\$16,300 00	
687 do. Mechanics' Bank Stock	17,175 00	
120 do. Merchants' Bank Stock	6,000 00	
53 do. Bank of State of New York	5,300 00	
Loans on Bond and Mortgage	120,880 00	
Cash balance	647 00	
	<hr/>	\$166,302 00
		<hr/>

Outstanding Rent and Interest, since 1st November.

I. Van Beuschoten, 6 mos. interest	\$65 80	
Ditto 6 mos. ground rent	257 50	
	<hr/>	\$323 30
Edgar Jenkins, 11 months 22 days interest	\$410 67	
Edgar Jenkins, 12 months ground rent	175 00	
	<hr/>	585 67
John Allen, 6 months ground rent	60 00	
Joel Post, 6 do. do.	35 00	
R. L. Nevins, 6 do. do.	362 50	
Mrs. H. Wiswall, 12 mos. do.	100 00	
Henry Bamman, 6 do. do.	37 50	
Dennison Olmsted, 6 do. do.	40 50	
	<hr/>	\$1,544 47

Estimate of the Income for 1838.

Ground rent in 15th ward	\$19,798 75	
Do. in 1st ward	2,550 00	
Dividend on Bank Stock, uncertain.		
Interests on Bonds and Mortgages	8,181 60	
Outstanding rents and interest	1,544 47	
	<hr/>	\$32,374 82

New York, 31st December, 1837.

W. S. GREENLEAF, Treasurer.

New York, 31st December, 1837.

Examined and approved by the }
 Executive Committee. }

R. RIKER, Recorder.

ROBT. LENOX, President of the Chamber of Commerce.

JOHN WHELLEN, Pres. of the Marine Society of N. York.

DOCUMENT NO. 65.

BOARD OF ALDERMEN,

FEBRUARY 7, 1838.

The Committee on Finance, to whom was referred the resolution from the Board of Assistant Aldermen, appropriating \$3,120 for the payment of extra work in Franklin Market, presented the following report thereon, which was adopted.

THOMAS BOLTON, Clerk.

The Committee on Finance, to whom was referred the annexed accounts for work done on the Franklin Market, with a resolution of the Board of Assistant Aldermen, appropriating \$3,120 78, for the payment of the same,

REPORT:

A part of this, about \$1,300, appears to be for what is termed extras, and the balance of the sum required, is to pay

the difference between the amount appropriated, and the amount of contracts.

It is in the recollection of your Committee, that the Common Council, in 1836, refused to establish a market at Old Slip, until the plan and expense should be submitted to the Common Council for approval. This was done in January 1837, under the assurance that the sum asked for, \$10,000, should cover every expense, and this sum was appropriated. It appears, however, that the contract was made for the sum of \$11,800, besides \$348, expended by the Committee for foundation.

In July 1837, a further sum of \$4,700 was asked for, to pay the extra expenditure and to make an addition to the market, which sum your Committee understood was to be a final appropriation. They now ask for a further sum of \$3,120 78, to pay what remains unpaid.

Your Committee are aware, and past experience proves, that in the erection of buildings for public use, some charges for extras will occur; but they cannot refrain from expressing their unqualified disapprobation of a practice which has obtained, of making engagements for the payment of money beyond the amount appropriated, and which the Common Council would not have sanctioned, had they an opportunity of passing a vote upon it at the time.

In the present instance, the whole amount of appropriations was \$14,700, and for this sum it was expressly stated the market should be completed, while the contracts amounted to \$16,156, independent of extra work amounting to \$1,684 78.

The plan for this market was, by direction of the Common Council, submitted to them for their approval, and was so approved of by them; and yet this plan was afterwards altered without the consent of the Common Council, and the expense of the first contract thereby made to exceed the appropriation. On inquiry of the Superintendent of Buildings, as to the authority for making the subsequent alterations and incurring the extra expense, your Committee was informed that such altera-

tions were sometimes made by order of a Committee, sometimes by order of individual members. That such a course should be permitted by him or his predecessor, was a matter of surprise to your Committee. No Committee, and of course no member of the Common Council has any authority to alter the directions of the Common Council, and if allowed in one case, may be permitted in all and to any amount. Of the danger and impropriety of such a course, your Committee do not deem it necessary to speak, for it must be self-evident to the minds of any who reflect upon it. It is the duty of the Superintendent to make contracts in compliance with the resolutions of the Common Council, and not the directions of Committees; and after they are made, it is likewise his duty to carry out those contracts without alteration, except with the authority of the Common Council; and the directions of individual members to make alterations should have no weight, unless so authorized.

There is another matter connected with these accounts that your Committee think should be brought before the Common Council. It is the item of \$500, for work done in the public yard. Your Committee are entirely at a loss to ascertain the authority or reason why moneys should be expended in the public yard, or a building directed to be built by contract and for which an appropriation is made. They are not willing to sanction such a course by recommending the payment of this item without farther and more satisfactory information.

The other individuals have probably done the work now charged in good faith, and under the supposition that the same was authorized by the Common Council. The Committee feel therefore bound to recommend the payment of them, but at the same time most pointedly to disapprove of the expenditures as entirely unauthorized. They offer the following resolutions:

Resolved, That this Board non-concur with the Board of Assistants, in the resolution appropriating \$3,120, for extra work on the Franklin Market.

6 *Resolved*, That the sum of \$2,272 78, be appropriated for the Franklin Market, and that the Comptroller apply the same to the payment of the balances due on the contracts therefor, and the account of W. W. Wetmore, for \$331 16, and the account of Hunt & Seaman for \$485 62, in full of the same.

EDWARD TAYLOR,
D. P. INGRAHAM,
C. DE FOREST.

DOCUMENT NO. 66.

BOARD OF ALDERMEN,

FEBRUARY 19, 1838.

The Finance Committee, to whom was referred the application of William Edgar and others, for grants of land under water in the North River and in the 1st ward, presented the following Report thereon, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Finance Committee, to whom was referred the annexed petition of William Edgar, Robert R. Morris and others, heirs at law and devisees of William Edgar, deceased, respectfully

R E P O R T :

That these petitioners are the proprietors of several water grants on the North or Hudson River, between the termination of Cedar street and Battery place, and they petition for a

grant to them of the land under water, between the front or westerly line of their grants and the line of West street, as now established by law. Along the whole line of West street, from Cedar street to Battery place, the line of the street is established to the westward of the line of all the water grants in that part of the city, but not at equal distances : in some cases, the grants having been made after West street was laid out, but before the present lines were established, and in others, the grants being made to the line of 3d street, as originally laid out, leaving thus, along the whole line, spaces of unequal width between the exterior line of the several water grants and the exterior line of the city. These spaces would naturally be sought for by the owners of the water grants, and petitions to that effect have several times brought the subject before the Common Council. The difficulty seems to have been in settling the terms on which the grants should be made.

In accordance with the practice heretofore pursued by the Corporation, the various Committees to whom this subject has been heretofore referred, have recommended grants to be made to the proprietors, instead of the Corporation taking the land to itself; and have endeavored to fix an amount of compensation, either by way of quit rent or immediate payment, in some respects equivalent to the advantages derived. None of the plans recommended by such Committees were ever adopted, and the matter has remained unsettled. As it will soon be necessary to complete the filling up and building of West street, your Committee, in fixing the terms, have inclined to place them so low that it is believed no dissatisfaction whatever can be felt by the proprietors, and have also fixed a period within which the grants shall be taken, so that at the expiration of the period, no complaint can be made if the Corporation on their own account fill up and make those portions that may not then be granted.

Your Committee respectfully offer the following resolutions :

Resolved, That grants be made to the several proprietors of water grants in the North or Hudson River, between the termination of Cedar street and Battery place, of the land under water between the western boundary of their respective grants and the line of West street, as now established by law, and all wharfage and cranage, upon the following conditions, viz. :

1st. The several proprietors shall pay to the Corporation the sum of twelve and one half cents per square foot for the land so conveyed, and all expenses of making such conveyance.

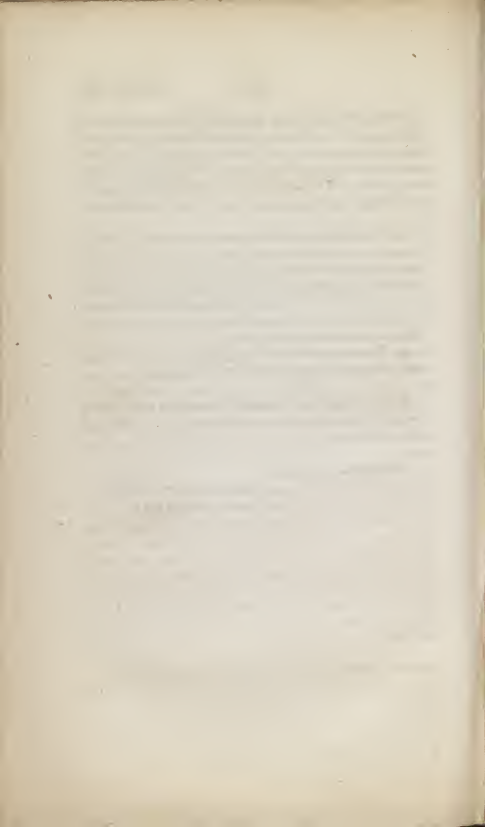
2d. The said grants shall contain the usual covenants on the part of the grantees for making and maintaining streets and bulkheads, as now established by law, and all other usual covenants contained in water grants.

3d. The said grants shall be applied for and accepted by said proprietors before the first day of May next.

Resolved, That the Comptroller give notice to the several proprietors (as far as he can ascertain them) of the passage of these resolutions.

Respectfully submitted.

EDWARD TAYLOR,
D. P. INGRAHAM.



DOCUMENT NO. 67.

BOARD OF ALDERMEN,

FEBRUARY 26, 1838.

The Finance Committee, to whom was referred so much of the report of the Water Commissioners as relates to providing funds for completing the Croton Water Works, presented the following report thereon, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, *Clerk.*

The Committee on Finance, to whom was referred that part of the Water Commissioners' report which relates to providing the funds for carrying on the work of procuring a supply of good and wholesome water for the City of New York, respectfully

REPORT, IN PART:

That it is necessary funds should be provided to carry on

this work. The contracts already entered into by the Water Commissioners, amounts to \$2,823 691, of which about \$1,750,000 will be wanted before the 1st day of January next.

The question here presents itself, whether the application which it is necessary to make to the Legislature, for authority to raise funds, should be restricted to a limited amount, proportioned to the probable expenditure of the ensuing year, or should be extended to the whole amount necessary to complete the work.

Your Committee believe that no doubt can be entertained, that the whole work must and will be completed—the progress of the work, the amount already expended, and the amount of contracts made by the Commissioners, render it certain that the whole expense of the work, (whatever that may be.) will be required; and, in the opinion of the Committee, by applying for full authority, not only the trouble of repeated applications will be saved, but many and great advantages, in negotiating for loans, will be secured to the Corporation, and their having the power to take advantage of favorable times for making such negotiations. Your Committee therefore propose to apply to the Legislature for a law authorizing further loans to be made to finish and complete the work, without reference to the amount or rate of interest; as they believe that the Common Council of this city are as able to legislate as to the amount which may be required, and the period when it shall be taken up, as also what rate of interest shall be paid for the same, as the Legislature of the State possibly can be. In order to carry out these views, the Committee propose, for consideration, the following resolution:

Resolved, That the Counsel of the Board prepare a memorial to the Legislature, authorizing the Common Council of the City of New York to raise, by loan, such sum or sums of money as shall, from time to time, be required for the completion of the Croton Water Works, and at a rate of interest, and

payable at such times, as the Common Council may, from time to time, direct. Respectfully submitted.

EDWARD TAYLOR,
C. DE FOREST.

The Alderman of the 12th ward moved to insert the words "not exceeding \$2,000,000," after the word "*Works.*"—Lost. And to insert the words "not exceeding 5 per cent.," after the word "*interest*;" and to add to the resolution the words "and to issue stock for said loans on such terms as they may think proper."



DOCUMENT NO. 68.

BOARD OF ALDERMEN,

FEBRUARY 26, 1838.

*The following Communication from his Honor the Mayor,
was directed to be printed for the use of the members, and
to be placed on file.*

THOMAS BOLTON, *Clerk.*

MAYOR'S OFFICE, New York, February 26, 1838.

Gentlemen of the Board of Aldermen :

In pursuance of a resolution adopted by the Board of Aldermen, on the 19th of February, 1838, I requested an examination to be made, from which it appears :

That the number of alien passengers arrived from the 1st of January, 1836, to the 1st of January, 1837, were 60,541. The amount of commutation received during that period was \$37,338 25.

The number of alien passengers that arrived from the 1st of January, 1837, to the 1st of January, 1838, were 52,806. The amount of commutation money received during that period was \$67,523 50.

The amount received on bonds given for the support of alien passengers, in lieu of commutation for the year 1836, was \$4,173 51. The amount received for the year 1837 was \$7,923 27. The amount remaining unpaid is \$2 556 72.

The names of the makers of such bonds can be ascertained on a reference had to the records kept at Bellevue.

In regard to that part of the resolution which requires "the names of passengers who arrived at Amboy, and were transferred to this city, within the period above mentioned, viz., 1st January, 1836, to 1st January, 1838," I can only say that I have not the names of such passengers, nor have I any means of ascertaining them.

AARON CLARK.

DOCUMENT NO. 69.

BOARD OF ALDERMEN,

FEBRUARY 26, 1838.

The Committee on Roads and Canals, to whom was referred the resolution relative to straightening the Bloomingdale Road, and continuing the same as one of the Streets, together with the petitions for and remonstrances against the same, presented the following report thereon, which was laid on the table, and directed to be printed for the use of the members, and made the special order of the day for the next meeting.

THOMAS BOLTON, Clerk.

The Committee on Roads and Canals, to whom was referred the annexed resolution, petitions and remonstrances relative to straightening the Bloomingdale road, and continuing the same as one of the streets of the city, respectfully

REPORT:

That the Bloomingdale road is, at present, a principal thoroughfare, extending diagonally across the city from Broadway, near the 5th avenue, to the 10th avenue at 70th street; from whence it continues to Kingsbridge, forming the most direct and expeditious route to the western and northern part of the island, which renders it highly desirable that the part of the road, south of its intersection with the 10th avenue, shall always be kept open, but which must ultimately be closed, unless application be made to the Legislature for its future continuance as a public street or avenue, it not being recognised as such on the Commissioner's map; and the statute declaring that no old road shall pass through any of the blocks, after the avenues and streets adjacent shall have been opened. It has been proposed, therefore, to cause the map or plan of the city to be altered or amended, so as to include this road, with certain modifications as are hereinafter expressed, and ensure its continuance as a public thoroughfare, to be opened by Commissioners only, when public exigency shall so require.

The petitioners in favor of this object are numerous, and comprise the principal landholders on the road, who are anxious for its continuance and improvement. The Bloomingdale road runs nearly direct between 23d street, at the 5th avenue, and 43d street at the 7th avenue, forming a slight curve midway; and runs also in a straight line, or nearly so, from 60th street, near the 8th avenue, to 70th street, at the 10th avenue. It is proposed to retain these portions of the road, increasing their width to 75 feet, and to close the intermediate portion between 43d and 60th streets, it being very crooked, and running the greater part of the distance near, and parallel to, the 7th avenue; and to substitute therefor the 7th avenue, and a continuation of the northern portion, south to its intersection with the 7th avenue at 53d street. The interruption to the squareness of the blocks by the interposition of the road cannot be felt as an evil, as the road has for a long time been in existence, upon which lots have been laid

out and sold, whose value, on a collateral street of this character, must exceed that of those located on the cross streets. The remonstrances referred to by the Committee are not in opposition to the continuance of the road, but to the closing of the portion proposed to be obliterated. The remonstrants state, that they have purchased lots bounding on the said road, and that the closing of the same will damage their property, and inconvenience them in gaining access to it, and that they therefore desire that it may remain open. The Committee are of opinion that the general improvement proposed, is the most judicious; but, yielding to the wishes of those who are averse to the closing of a part of the same, they, for the present, recommend that the first described section of the road, south of its intersection with the 7th avenue, be improved, as has been suggested, be recognized as a permanent street, and that application be made to the Legislature for this purpose; and also for authority to retain open, so much of the Bloomingdale road as lies north of its intersection with the Seventh avenue, until such times as the Common Council shall deem proper to close the same. There are four small gores, formed by the junction of the road with the avenues, which the Committee also recommend to be thrown into street, as shown by the diagram annexed. The Committee offer the following resolutions:

Resolved, That application be made to the Legislature, to alter or amend the map or plan of the city, as laid out by Commissioners, so as to include and recognize, as a public street or avenue, so much of the Bloomingdale road as lies south of its intersection with the 7th avenue, agreeable to the red lines drawn on the accompanying diagram; and that the gores, formed by the junction of the said road with the 5th, 6th, and 7th avenues, marked A, B, C, and D, on the said diagram, and coloured red, be thrown into street.

Resolved, That application also be made to the Legislature,

to retain open, so much of the Bloomingdale road as lies north of its intersection with the 7th avenue, until such time as the Common Council shall deem proper to close the same by ordinance.

Resolved, That the Counsel take the necessary measures to carry the preceding resolutions into effect, and that the memorial therefor be executed in the usual manner.

D. P. INGRAHAM,
R. SMITH.

DOCUMENT NO. 70.

BOARD OF ALDERMEN,

MARCH 7, 1858.

The Joint Special Committee, to whom was referred the communication from his Honor the Mayor, relative to a location of a Dry Dock for this Naval Station, presented the following report thereon, which was adopted and directed to be sent to the Board of Assistant Aldermen for approval.

THOMAS BOLTON, *Clerk.*

The Joint Special Committee, to whom was referred the communication of his Honor the Mayor, touching the location of a Dry Dock, and the letter of his Honor the Recorder, Chief Justice Jones, and sundry other citizens on the same subject,

REPORT:

1. That by a report of the Secretary of the Navy, made

to the House of Representatives of the United States, on the 19th day of December last past, it appears, that among other locations for a Dry Dock, the attention of divers gentlemen has been drawn to the entrance of Kill Van Kull, and the establishment of a naval arsenal at Constable's Hook.

Your Committee do not mean here to enter into any discussion, whether the Dry Dock ought to be constructed within the Navy Yard at Long Island, or elsewhere in the Bay of New York; but they understand that its construction, at any other place than the Wallabout, involves the removal of the Navy Yard therefrom. Your Committee, after examining this subject under all the aspects which have offered themselves to their observation, are of opinion, that a great naval station is, in general, well located, when it is near and contiguous to a great marine emporium.—

2. That the transportation of the materiel of war, of men, and, in general, of the necessaries for fitting out ships, only adds to the cost of the navy, and deprives it of much of prompt and immediate efficiency.

3. That a great naval station ought, as far as possible, to be free from the incursions of an enemy. That Fort Hamilton and Fort Greene, while they defend the Navy Yard at Brooklyn, offer no defence to the incursions of the enemy on the outer bay across Staten Island to Constable's Hook.

4. That the State and City of New York, considered in any point of view, whether of payment of taxes, direct and indirect, of commerce, or its collection of imposts, may be well entitled to the continuance of a naval station and Dry Dock within its own borders.

Your Committee, influenced by these and other considerations, useless to set forth in this report, recommend the following resolution:

Resolved, That the Counsel to the Board draw up a proper memorial and remonstrance, to be addressed under the Corporate Seal to both Houses of Congress, against removing

the Navy Yard, or building a Dry Dock, without the jurisdiction of this State, and that the Mayor cause the same to be attested in due form, and be presented with all convenient speed to Congress, by a Member from the City of New York.

M. C. PATERSON,
JOSEPH HOXIE,
CALVIN BALIS,
MORRIS FRANKLIN.

1870

1. The first of the year was a very cold day, with a heavy frost, and the wind from the north-east.

2. On the 2nd, the weather was much warmer, and the wind from the south-west.

3. On the 3rd, the weather was again cold, and the wind from the north-east.

4. On the 4th, the weather was very warm, and the wind from the south-west.

5. On the 5th, the weather was cold, and the wind from the north-east.

6. On the 6th, the weather was very warm, and the wind from the south-west.

7. On the 7th, the weather was cold, and the wind from the north-east.

8. On the 8th, the weather was very warm, and the wind from the south-west.

9. On the 9th, the weather was cold, and the wind from the north-east.

10. On the 10th, the weather was very warm, and the wind from the south-west.

11. On the 11th, the weather was cold, and the wind from the north-east.

12. On the 12th, the weather was very warm, and the wind from the south-west.

13. On the 13th, the weather was cold, and the wind from the north-east.

14. On the 14th, the weather was very warm, and the wind from the south-west.

15. On the 15th, the weather was cold, and the wind from the north-east.

16. On the 16th, the weather was very warm, and the wind from the south-west.

17. On the 17th, the weather was cold, and the wind from the north-east.

18. On the 18th, the weather was very warm, and the wind from the south-west.

19. On the 19th, the weather was cold, and the wind from the north-east.

20. On the 20th, the weather was very warm, and the wind from the south-west.

21. On the 21st, the weather was cold, and the wind from the north-east.

22. On the 22nd, the weather was very warm, and the wind from the south-west.

23. On the 23rd, the weather was cold, and the wind from the north-east.

24. On the 24th, the weather was very warm, and the wind from the south-west.

25. On the 25th, the weather was cold, and the wind from the north-east.

26. On the 26th, the weather was very warm, and the wind from the south-west.

27. On the 27th, the weather was cold, and the wind from the north-east.

28. On the 28th, the weather was very warm, and the wind from the south-west.

29. On the 29th, the weather was cold, and the wind from the north-east.

30. On the 30th, the weather was very warm, and the wind from the south-west.

31. On the 31st, the weather was cold, and the wind from the north-east.

DOCUMENT NO. 71.

BOARD OF ALDERMEN,

MARCH 12, 1858.

The Joint Committee on Fire and Water, to whom had been referred the petition of the Engineers and Foremen of the New York Fire Department, praying for an alteration of the Fire Laws, presented the following report thereon; together with a draft of a Law, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Joint Committee on Fire and Water, to whom was referred the petition of the Engineers and Foremen of the New York Fire Department, praying for an alteration of the Fire Laws, respectfully

REPORT:

That they have bestowed much time and attention upon the subject referred to, not only on account of the important suggestions which have been urged before them, but because they are sensible that the subject is one in which the great body of our Firemen feel a great degree of anxious solicitude. The

first, and perhaps the most important alteration which has been proposed, is in reference to the nomination of the Chief Engineer, by the Engineers and Foremen, for appointment by the Common Council; this is a measure which has long been called for, and the Committee can see no good reason why the privilege should be withheld from them, as it is a fact which cannot be disputed, that they are better qualified to judge as to the capacity of an individual to discharge those responsible duties which devolve upon him, than the Common Council can possibly be, because, associated as they are with him, an opportunity is afforded whereby they can ascertain his skill, judgment and general conduct at times of fire, and come to a correct conclusion as to his qualifications for that high and important office; and it seems to be in accordance with the strict rules of equity that they should be consulted in the appointment of those who are to have the control and superintendence of them; and as it still retains in the Common Council the appointing of their own disbursing officer, no reasonable objections have been seen by the Committee to making the alteration proposed. It has also been thought advisable that the Chief Engineer should hold his office for a longer term than has heretofore been the case, in order that he may not be subjected to removal, dependent upon political changes; and thereby subject the department to that want of skill and experience in their Chief, which is so much to be desired, and which always has, and will, in a greater or less degree, deprive him of that spirit of independence and impartiality so important in an office of this character; and for the purpose of obviating this difficulty, the Committee have so amended the ordinance as to extend the term of his appointment from one to three years, subject at all times to removal by the Common Council. The same reasons have operated upon the minds of the Committee in reference to the subordinate Engineers, and they have proposed an alteration so that, at the first election, under the law as proposed to be amended, three shall be appointed for the term of three years; three for the term of two years, and three for the term of one year; and in the same way at each

annual election thereafter. An additional number of Engineers has been thought to be necessary, and the Committee have suggested nine in preference to the present number, believing, from past experience, that an increase in that department will be attended with beneficial results, and the plan having been submitted to a Committee appointed at a general meeting of Firemen, the same is approved of by them.

The salary of the Chief Engineer is also a subject which has engaged the attention of the Committee, under the belief that his present compensation was altogether inadequate to the services performed, and formed a very insufficient remuneration for the time and expense necessarily incurred in the discharge of his various duties; because it is self-evident that a person holding that station must necessarily devote his undivided attention to the same, and is altogether disqualified from pursuing any other avocation; besides which, the loss to which he is annually subjected in wearing apparel, forms no inconsiderable an item in his list of expenses, exposed as he is at all hours to be called upon, and in very many cases without any opportunity to change his dress or prepare himself for such an exposure; the Committee have therefore thought proper to propose for the consideration of the Common Council, that his salary be raised from one thousand to fifteen hundred dollars, believing, as they do, that such an increase is warranted by the services which such an officer is bound to perform.

Such then are the prominent alterations which the Committee have thought it advisable to be made in the existing law, and they have therefore prepared a draft which they now submit for the consideration of the Common Council.

Respectfully submitted,

I. P. WHITEHEAD,
D. RANDELL,
JOSEPH HOXIE,
JOSEPH R. TAYLOR,
MORRIS FRANKLIN,
ABRAHAM TAPPEN.

AN ORDINANCE

To amend and modify the Laws and Ordinances now in force, relating to Fires and the Fire Department of the City of New York, and reduce the same into one Act.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Sec. 1. The Fire Department of the said City shall consist of a Chief Engineer, nine Assistant Engineers, a Water Purveyor, and as many Fire Wardens, Fire Enginemen, Hosemen, Hook and Ladder men, as are, or may, from time to time, be appointed by the Common Council, and who shall respectively be distinguished by the several appellations aforesaid. Fire Department, of whom to consist.

Sec. 2. The Chief Engineer and the Assistant Engineers shall be nominated by the Engineers and the Foremen of the Fire Companies respectively, to the Common Council for appointment; the said Chief Engineer and Assistant Engineer shall respectively hold their offices for the term of three years. Engineers, how and for what time to be appointed.

Sec. 3. The Water Purveyor shall be nominated and Water Purveyor.

appointed by the Common Council, and shall hold his office during the pleasure of the Common Council.

Duties of
Chief Engineer.

Sec. 4. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the Engineers and other persons connected with the Fire Department. It shall be the duty of the Chief Engineer to direct the other Engineers to take proper measures to arrange the several fire engines in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires. It shall also be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire engines, and other fire apparatus and Fire Engine Houses, and to report the same, once a year, to the Common Council; together with the names of all the members of the Fire Department, and the respective associations to which they belong. It shall also be the duty of the Chief Engineer to report, in writing, all accidents by fire that may take place in this city, with the causes thereof, as well as they can be ascertained; and the number and description of the buildings destroyed or injured; together with the names of the owners and occupants, to the City Inspector, who shall keep an accurate register of the same.

His salary.

Sec. 5. The Chief Engineer shall receive for his services a yearly salary of \$1,500, payable quarterly; and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties.

First appointment
of Engineer, and
for what term.

Sec. 6. On the first appointment of Engineers under the provisions of this Ordinance, there shall be appointed a Chief Engineer, three Assistant Engineers, each for the term of three years; three Assistant Engineers, each for the term of two years; and three Assistant Engineers, each for the term of one year; and, annually thereafter,

there shall be appointed three Assistant Engineers, each for the term of three years.

Sec. 7. The Engineers and the Foremen of the Fire Companies respectively, shall meet on the first Tuesday in _____, annually, for the purpose of nominating suitable persons to fill said offices; and the said Engineers and Foremen shall, then and there, or at such other time and place as they may appoint, by joint ballot, designate, from the whole body of Firemen, by a majority of votes which shall be given, the persons whom they may wish to fill said offices; distinguishing the person nominated for Chief Engineer from those selected for Assistant Engineers, whenever a Chief Engineer is to be chosen. ^{When and how nominated.}

Sec. 8. Whenever any vacancy shall occur in the Engineer Department, by death, resignation, removal, or otherwise, it shall be the duty of the Chief Engineer to notify the said Engineers and Foremen, to meet at such time and place as the said Engineer shall designate; and the said Engineers and Foremen shall, as aforesaid, by joint ballot, designate, from the whole body of Firemen, by a majority of votes which shall be given, the person whom they may wish to fill such vacancy. ^{Vacancy in Engineer Department.}

Sec. 9. It shall be the duty of the Chief Engineer to certify, under his hand, to the Common Council, the names of the persons who may, from time to time, be designated, pursuant to the provisions of the seventh and eighth sections of this Ordinance, for the respective offices for which they may have been nominated by the said Engineers and Foremen, to the end that, if approved of by the Common Council, they may be appointed. ^{Chief Engineer shall certify persons nominated for appointment.}

Sec. 10. It shall be the duty of the said Chief Engineer, under the direction of the Joint Committee on Fire and Water, whenever any of the fire engines, hose carts, trucks, hooks and ladders, and other fire apparatus, shall require ^{Duty of Chief Engineer as to repairs, &c.}

to be repaired, to cause the same to be well and sufficiently done. It shall also be his duty to advertise for estimates for the construction of all new fire engines and other apparatus, which may be ordered by the Common Council; and to submit all such estimates, when received by him, to the Committee on Fire and Water, for their approval, previous to any contract being concluded for any such fire engine or other apparatus. It shall also be his duty to superintend the repairing of all fire engines, &c. which may be sent to the public yard for that purpose; and, generally, to see that the fire engines and other apparatus, are kept in good and sufficient order for use. It shall also be his duty to superintend the making of all hose, ladders, hooks, and other fire apparatus, used for extinguishing fires.

Bills to be
approved of
by Fire and
Water
Committee.

Sec. 11. All bills for expenditures incurred by, or under the direction of the said Chief Engineer, shall, previous to the payment thereof, be examined by the said Committee on Fire and Water; and, when approved of by them, signed by the said Chief and paid.

Water
Purveyor's
oath.

Sec. 12. The Water Purveyor shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform the said duties.

Shall give
bond for
faithful per-
formance of
duty.

Sec. 13. The said Water Purveyor shall give a bond, with sufficient surety or sureties, to be approved of by the Finance Committee of both Boards, conditioned for the faithful performance of the duties of his office.

Salary.

Sec. 14. The said Water Purveyor shall receive for his services a yearly salary of one thousand dollars, payable quarterly.

His duty.

Sec. 15. It shall be the duty of the said Water Purveyor to take charge of the public reservoirs, and establishments for water for the extinguishment of fires; and

to see that the same, and all the apparatus and machinery belonging thereto, and all the public hydrants are kept in good order.

Sec. 16. It shall be the duty of the said Water Purveyor to superintend, in person, the laying down of all such water pipes as may be ordered by the Common Council; and, generally, to take charge and have the care and superintendence of all public works, erected or undertaken for the purpose of procuring or keeping a supply of water for the extinguishment of fires.

His duty as to pipes, &c.

Sec. 17. It shall be the duty of the said Water Purveyor to advertise for estimates for all public works connected with his department, or for the repairing or altering thereof, except the laying down and repairing water pipes; the expense of which may not, in his judgment, exceed the sum of five hundred dollars.

Shall advertise for estimates.

Sec. 18. In all cases of slight repairs, the expense whereof shall not exceed the above sum, the said Water Purveyor shall cause the same to be done without advertising for such estimates.

Slight repairs to be done without estimates.

Sec. 19. All estimates which may be received by the said Water Purveyor, for the expense of work to be done under his superintendence, or for his department, shall be submitted by him, to the Committee on Fire and Water, for their approval, previous to any contract being concluded for the same.

Estimates to be submitted to Committee on Fire and Water.

Sec. 20. All bills for expenditures incurred by, or under the direction of the said Water Purveyor, shall, previous to the payment thereof, be examined by the said Committee on Fire and Water; and, when approved of by them, signed by the Water Purveyor and paid.

Bills to be approved by Fire and Water Committee.

Sec. 21. So many of the freeholders, or freemen of

Fire Wardens, how appointed. the said city, as the Common Council may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens, each of whom shall be assigned and attached by the Mayor of the said city, to such Company of Firemen, having charge of a fire engine, or any other fire apparatus, as he shall think proper, and shall report himself to the Chief, or other Engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the Mayoralty, stating his appointment as a Fire Warden, and the Company of Firemen to which he shall be attached.

Fire Wardens to be divided into Companies. Sec. 22. The Fire Wardens of each ward shall form a separate company, and each of the said companies shall and may choose out of their own number, a Foreman and Clerk, in such manner and at such times as they may think proper; and each company may make rules, regulating the time and manner of conducting their elections, and imposing such fines upon the members, as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires and at visiting the buildings, and in other duties in their several districts; and any disobedience to such rules shall be reported by each company to the Common Council, and shall subject the Fire Wardens so disobeying to removal by the Common Council.

Vacancies, how filled. Sec. 23. Whenever a vacancy shall happen in any of the said companies, the company in which the same shall happen may recommend, through the Chief Engineer, to the Common Council for approbation, a suitable person to fill such vacancy; but none other than those who have been Firemen at least three years shall be so recommended.

Sec. 24. Every Fireman hereafter recommended

through the Chief Engineer to the Common Council, ^{Must be resident of the ward.} as a suitable person to be appointed as a Fire Warden, shall be, at the time of such recommendation, an actual resident and inhabitant of the ward for which such appointment is required to be made.

Sec. 25. In case any Fire Warden shall remove from the ward to which he shall have been appointed, the said office shall be deemed vacant, and the Chief Engineer shall notify the Company of Fire Wardens to proceed to fill the vacancy there made. ^{Removal, to vacate.}

Sec. 26. The said Wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other Engineers of the Fire Department. ^{To be under direction of the Engineers.}

Sec. 27. It shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire engines, to which they shall be respectively assigned and attached, and to such other engines as the Chief Engineer or other Engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trod on, and to keep all the idle and suspected persons at a proper distance from the fire, and from the vicinity. And the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens in the premises. ^{Duty of Wardens.}

Sec. 28. Each of the said companies shall divide their ward into districts, and the Foreman of the company shall attach one or more of the members of the said company to each of the said districts, for the purpose of making the visitation and examination directed in the next following section, who shall keep a record of the names of the occupants of the ^{Inspection Districts.}

houses, and of the members of the same, wherein they shall observe any violations of this law, or of the act for the more effectual prevention of fires, and annually, in the month of January, exhibit a transcript of the same to their Foremen. And the said Foremen shall report to the Chief Engineer, in the month of June, annually, the name, residence and occupation of each of the Wardens of his company, and also a copy of the record to be kept as aforesaid, under the penalty of fifty dollars for each and every neglect, to be recovered in an action of debt from the said Foreman by the Attorney of the Corporation, in the name of the Mayor, Aldermen and Commonalty of the City of New York; and it shall be the duty of the Chief Engineer to report to the Mayor, in the month of July, annually, a copy of the aforesaid return and record, which shall be filed in his office.

Foremen
to report to
Chief Engi-
neer.

Sec. 29. It shall be the duty of the said Fire Wardens, twice in every year, viz. in the months of June and December, and as much oftener as they may think proper, to examine the dwelling houses and other buildings in their respective wards, for the purpose of ascertaining all violations of any act in force for the more effectual prevention of fires in New York; and also, to examine the fireplaces, hearths, chimneys, stoves and the pipes thereto; ovens, boilers, kettles, and also all chemical apparatus, which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and upon finding any of them defective or dangerous, they, or either of them shall direct the owner or occupant, either by a printed or written notice, to alter, remove or amend the same, in such manner and within such reasonable time, as they or either of them, may deem necessary; and in case of neglect or refusal so to do, the party offending shall forfeit and pay twenty-five dollars, and for every day after the time allotted as aforesaid, to alter, remove or amend

the same, in conformity with the direction aforesaid, the party so offending shall forfeit and pay the further sum of five dollars and all the expenses of any removal, alteration or amendment as aforesaid, shall be paid, in the first instance, by the occupant, but shall be chargeable against the owner of such dwelling house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such times as aforesaid, to enter into and examine all buildings, livery or other stables, hay boats or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, firewood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed necessary by them or him, relative to the removal thereof; and in case of neglect or refusal on the part of the possessor of such combustible materials, or of any of them, to remove or secure the same, within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall forfeit and pay twenty-five dollars, and the further sum of five dollars for every day's neglect to remove or secure the same after being so notified.

Sec. 30. The duties prescribed by the foregoing section shall be performed within each district by the Warden or Wardens attached to such district, who shall make an immediate report to the Foreman (who shall record the same in a book to be kept for that purpose) of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstance of each case, and shall also make report whether any, and what cases of violations of the Laws of this State, prohibiting the construction of wooden buildings within certain

Report to be made to the Foreman, who shall report to Corporation Attorney.

limits in this city have come to his or their knowledge; and in case of any violation of such law, he or they shall particularly report the name of the owner or owners of the building, and of the master builder, and the particular circumstances of each case; and in case of neglect to report as aforesaid, or to perform any of the duties prescribed in this or the preceding section of this ordinance, such Warden or Wardens respectively, shall forfeit and pay the sum of twenty dollars for each neglect, to be recovered in an action of debt by the Attorney of the Corporation, in the name of the Mayor, Aldermen and Commonalty of the City of New York; and in order that the provisions of this ordinance may be carried into full effect, it shall be the duty of the Foreman of each respective company of Wardens to report to the Attorney of the Corporation all violations of the same, whether on the part of the citizens or of the Wardens, under a penalty of fifty dollars for each neglect, to be recovered as aforesaid.

Firemen.

Sec. 31. The Firemen shall be divided into companies, to consist of as many members as the Common Council shall, from time to time direct, to attend to the fire engines, hose, waggons, and hooks and ladders belonging, or that may hereafter belong, to the Corporation of the City, or to such hose waggons and hooks and ladders as the Common Council shall direct; and each of the companies shall and may choose out of their own number a Foreman, Assistant and Clerk in such a manner and at such times as they may think proper; and it shall be the duty of the said Firemen, as often as any fire shall break out in the said city, to repair immediately upon the alarm thereof, to their respective engines, hose waggons, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other Engineer; and there, in conformity with the directions given by the Chief Engineer or other Engineers, to work and manage the said

**Duty of
the Fire-
men.**

engines or apparatus and implements, with all their skill and power; and when the fire is extinguished, they shall not remove therefrom, but by the permission of an Engineer; and on such permission, they shall return their respective hose waggons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. If any Fireman shall neglect to attend to any fire as aforesaid, or leave his fire engine, or other apparatus while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every default forfeit and pay the sum of three dollars; and may, on request of the company to which he belongs, be removed from his station as Fireman.

Sec. 32. There shall be four persons appointed to each Fire Engine and Hose Company, and three persons to each Hook and Ladder Company within the Lamp and Watch District of this City, whose duty it shall be to keep all the apparatus of said companies in complete order, and ready for immediate use; and who shall, at every alarm of fire, repair forthwith to the house of the Engine, Hose or Hook and Ladder Company to which they shall be attached, and assist the members of said company in conveying the engine carriage or truck to wherever such fire may happen, and there to assist the company in getting the engine to work, or the hose ready for immediate action, under the direction of the officers of the company to which they may belong; and shall, during the time such engine or hose carriage is employed at a fire, take charge of the hose, and prevent any person from treading on or otherwise injuring the same.

Persons
to take care
of engines.

Sec. 33. That when the engine or hose carriage shall be discharged from duty (on the putting out of any fire) by an Engineer, it shall be the duty of such persons, un-

Their du-
ties.

der the direction of the officers of their company, to assist the members of said company in taking up the hose and other apparatus, and shall assist in conveying them, together with the engine or hose carriage and other apparatus, to the house appropriated for it, and there shall wash and dry the hose, and clean and put in complete order all the apparatus so as to be ready for immediate use; taking care, however, in no case to meddle with the works of an engine.

Their duties.

Sec. 34. It shall be the duty of the persons so appointed, who shall be attached to a Hook and Ladder Company, to preserve the truck and apparatus belonging to their company, from injury during the fire; shall assist the members in raising or moving ladders and hooks, under the direction of the officers of said company; and shall, after the truck is discharged from duty, assist the members in collecting the hooks, ladders and other apparatus, and aid in conveying them, together with the truck, to the house where they belong, and shall then clean and prepare them for immediate use; and each person so appointed to perform the duties in the several Engine, Hose and Hook and Ladder Company, as above mentioned, shall not be entitled to the privileges and exemptions of Firemen; but shall, for the faithful performance of said services receive a salary of one hundred and twenty-five dollars per annum.

How appointed.

Sec. 35. It shall be the duty of each Foreman of a fire engine, hose or hook and ladder company to recommend to the Chief Engineer suitable persons to take care, as above mentioned, of the fire engine, hose, hose carriage or truck, hook and ladder, of the company to which he may belong; which persons must have served as Firemen at least five years; and the Foreman shall recommend exempt Firemen in preference to all others: and said persons shall, on such recommendation being

made through the Chief Engineer, be appointed by the Mayor, but no acting Fireman shall be appointed to discharge said duties.

Sec. 36. In case of any neglect of the person or persons employed to keep the engine, hose carriage or truck, or hook and ladder to which he or they shall belong, in order, the Chief Engineer shall, on the request of the Foreman of the company to which such person or persons belongs, forthwith remove him or them, and report to the Mayor his or their removal, who shall, on the recommendation of said Foreman, made through the Chief Engineer as aforesaid, substitute a person or persons in his or their place, and that in case any engine, hose carriage or truck be in need of repairs, the Foreman thereof shall report the same to the Superintendent of Engines forthwith.

How removed.

Sec. 37. It shall be the duty of all members of the Fire Department, as well as those who are hired for the purposes above mentioned, to prevent all persons not belonging to the Department, and especially boys, from entering any house or handling any apparatus belonging to the Department.

To prevent persons not Firemen from handling fire apparatus.

Sec. 38. No fire engine, nor hook and ladder, nor hose cart, shall, in going to or returning from any fire, or at any other time, be run, driven, wheeled or placed upon any sidewalk, except by the special order of one of the Engineers, under the penalty of twenty-five dollars for each offence, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of one of the provisions of this section, to be recovered by the Attorney of the Common Council, for the use of the Corporation.

Engines not to be run on sidewalks.

Sec. 39. No such fire engine, hook and ladder or hose cart, during any fire in this city, or any report of

Not to be taken from Engine

House un- fire, or at any time, under any pretence whatever, shall
 less in pre- be taken or removed out of its house, unless the Fore-
 sence of two men or Assistant Foreman, or at least two of the Fire-
 Firemen. men of the Company to which the same shall belong,
 shall be present and consent thereto, under the penalty
 of ten dollars for every such offence, to be forfeited and
 paid by, and recovered from, any and every person aid-
 ing and assisting in, or consenting to the violation of any
 of the provisions of this section.

Violations Sec. 40. It shall be the duty of the several Engineers,
 to be re- and of every Foreman and Assistant Foreman of every
 ported to Fire Company, to report all violations of this ordinance
 Treasurer to the Treasurer of the Fire Department.

Commit- Sec. 41. The Committee on Fire and Water, under
 tee's power. the advice of the Chief Engineer, shall be authorized and
 empowered to take any fire engine, hook and ladder, or
 hose truck from the company, and place the same in the
 public yard, or give the same to some other company.

Commit- Sec. 42. All Firemen attached to any Fire Engine,
 tee on Fire Hose or Hook and Ladder Company, whose machine
 and Water and implements shall have been ordered to the public
 may trans- yard, for want of a sufficient complement of men to ma-
 fer from nage the same, shall be attached by the Fire and Water
 one Com- Committee to any other company they may designate;
 pany to and in case of their refusal to designate such company
 another. to which they wish to be attached, they shall be liable to
 expulsion.

No en- Sec. 43. No fire engine shall be let out for hire, or
 gine to be lent, in any case, without permission from the Alderman
 hired, un- and Assistant of the ward wherein it is wanted to be
 less permit- used, and the Chief Engineer, in default thereof, and the
 ted. Firemen so offending, shall be removed from the Fire
 Department.

Sec. 44. Whenever any Fireman is appointed to sup- ^{Certificates}
 ply any vacancy in any company, it shall be his duty to
 call on the Treasurer of the Fire Department, and pro-
 cure a certificate within one month from the date of his
 appointment, specifying the name and number of the
 company to which such Fireman shall be elected; and
 any Fireman, after being re-elected, shall obtain a new
 certificate as aforesaid; and it shall be the duty of the
 Chief Engineer to certify, on every return, whether a
 vacancy exists in the company.

Sec. 45. If any Fireman shall be expelled by a vote ^{Expulsion.}
 of the company to which he may belong, and the fact
 being reported to the Common Council by the Chief En-
 gineer, accompanied by a remonstrance by the person
 so expelled, in every such case the subject shall be re-
 ferred to the Committees on Fire and Water of the two
 Boards, as a Joint Committee, together with the Chief
 Engineer, who shall hear the parties and report thereon
 at the next joint meeting of the Common Council.

Sec. 46. In order that the members of the Common <sup>Aldermen,
 Council, Engineers and Fire Wardens, may be more rea-
 dily distinguished at fires, the Mayor, Recorder, Alder-
 men and Assistants, shall severally bear on those occa-
 sions, a wand with a gilded flame at the top, and each <sup>Assistants,
 Engineers.
 Fire War-
 dens, how
 distinguish-
 ed.</sup>
 of the Engineers shall wear a leathern cap painted white,
 with a gilded front thereto, and a fire engine blazoned
 thereon, and shall also carry a speaking trumpet, painted
 black, with the words "Chief Engineer," "Engineer No.
 1," as the case may be, in white, which shall also be
 painted on their caps respectively, and each of the Fire
 Wardens shall wear a hat with the brim black, the crown
 painted white, and the city arms blazoned on the front,
 and shall also carry a speaking trumpet, painted white,
 with the word "Warden," in black, painted thereon.</sup>

Sec. 47. The Foremen of Engine Companies and the

**Caps of
Firemen.**

Firemen, shall, when on duty, wear leathern caps in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz. the cap of each Foreman shall be painted black, with a white frontispiece, and the word "Foreman," with the initials of the name of the Foreman and the number of the engine to which he belongs, painted thereon in black; the cap of each Fireman shall be painted black, with the initials of the name of the Fireman, and the number of the engine to which he belongs, painted in front thereof in white; the Foreman of each of the Hook and Ladder Companies shall wear a cap painted black with a white frontispiece, and the word "Foreman," and the initials of his name and the number of the company to which he belongs, and a hook and ladder painted thereon in black; and each member of the hook and ladder companies shall wear a cap painted black, with the initials of his name and the number of the company to which he belongs, with a hook and ladder painted in front thereof in white; and each Foreman of the Fire Hose Companies shall wear a cap painted black, with a white frontispiece, and the word "Foreman," and the initials of his name and the number of the company to which he belongs, and a coil of hose painted thereon in black; and each member of the said fire hose companies shall wear a cap painted black, with the initials of his name and the number of the company to which he belongs, with a coil of hose painted thereon in white; and the Assistant to each respective company shall wear a cap painted in the same manner as that of the Foreman of the company, with the word "Assistant," in lieu of the word "Foreman." And that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his office.

Duty of **Sec. 48.** The names and places of abode of the mem-

bers of the Common Council, Engineers, Fire Wardens, ^{Watchmen} and Foremen of the respective Companies, and Bell-ringers shall annually, in the month of June, be printed and set up in the several Watch Houses by the City Inspector; and whenever any fire shall happen in the night, the Watchmen shall give notice to each of the Members of the Common Council, Engineers, Fire Wardens, Foremen and Bell-ringers within their respective Watch Districts; and it shall moreover be the duty of every Watchman, upon the breaking out of any fire, to alarm the citizens by crying fire, and mentioning the street where it may be, so that the Firemen and citizens may hereby be directed where to repair; and if any Watchman shall neglect so to do, he shall forfeit and pay the sum of one dollar; and if it shall happen that a chimney only shall be on fire, either by day or by night, the fire-bell at the City Hall, and the bells of the several churches in this city shall not be rung, but only on occasions where a building shall be proclaimed to be on fire; and it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, when fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

Sec. 49. A Watchman shall at all times be stationed in the cupola of the City Hall, for the purpose of giving ^{Watch-} alarms of fire, whenever cause thereof shall arise. ^{man in the} The Chief Engineer, by and with the consent of the Mayor, shall appoint a competent number of persons to perform the duty of such Watchman, day and night; and they shall be severally removable by the Chief Engineer; and, at all times during the night, be subject to the rules and regulations of the Watch Department, and the authority of the Officers of the Watch; and, as such, members of the Watch Department.

Sec. 50. On the occurrence of any fire, the City Hall ^{City Hall} bell shall be rung by the Watchman on duty in the cu- ^{bell, how} rung.

pola, and the ringing thereof shall be continued during the continuance of the fire; and he shall give notice of the locality of the fire, by ringing said bell, in a manner which shall be inscribed by directions to be given by the Committees on Fire and Water and Chief Engineer, and by hanging out a light in the direction of the fire; and for neglect of any of the duties required by this law, he shall be removed from office by the Chief Engineer or Captains of the Watch.

Watch
House and
Market
Bells.

Sec. 51. That upon the happening of any fire, the several Watch House and Market Bells shall be rung, and also all other alarm bells; and the same shall be done whenever any one alarm bell shall ring, and the ringing thereof shall be continued until the ringing of the City Hall Bell shall be stopped.

Penalty
for neglect
of Bell-
ringers and
others.

Sec. 52. That all Watchmen, Bell-ringers and other persons or Officers, charged with the ringing of bells in cases of fires, shall, on neglect to comply with the requisitions of this law, be removed from office, by the person or authority having power to remove him, on such person or authority being credibly informed of such neglect; and he shall not be re-appointed to that, or any other office under the Corporation, within one year after such removal.

Chief En-
gineer to re-
port all
cases of
neglect.

Sec. 53. The Chief Engineer is hereby required to report to the Common Council, all cases of neglect, on the part of the Bell-ringers to Churches, to ring their bells in alarms of fire.

Removal
of Watch-
men.

Sec. 54. The Captains of the Watch, respectively, shall remove from office, every Watchman who shall fail or neglect to give the notices and alarms of fire, by crying fire, and mentioning the street where it may be, as required by the 51st section of this ordinance; and such

removal shall be made by such Captain, on his being credibly informed thereof by any member or Officer of the Fire Department.

Sec. 55. It shall be the duty of the Marshals and Constables to repair immediately on the alarm of fire, with their staves of office, to the place where such fire may be, and report themselves to the High Constable, or Alderman, or Assistant Alderman of the ward in which such fire may happen; and to conform to such orders as may be given them by the Mayor, or any one of the Aldermen, or Assistants, for the preservation of the public peace, and the removal of all idle and suspected persons or others, not actively or usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof; and if any Marshal or Constable shall not attend at such fire, or shall neglect so to report himself, or to obey any orders that shall be given him as aforesaid, he shall, unless he has a reasonable excuse, to be determined by the Mayor, forfeit and pay the sum of five dollars for each offence.

Duty of Marshals and Constables at fires.

Sec. 56. If any chimney, stove pipe, or flue, within this city, shall take fire, the occupant of the house to which such chimney, stove pipe, or flue appertains, shall forfeit and pay five dollars.

Chimneys: penalties.

Sec. 57. All carpenters or others, making or using shavings, shall respectively, at the close of each day, cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of five dollars for each omission so to do.

Carpenters, &c. to secure shavings.

Sec. 58. No person shall kindle any fire, nor furnish the materials for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane; or on any pier or bulkhead in this city, except for the

Or fires in the street.

purpose of boiling tar ; which fire shall not be more than six feet from the bulkhead, or the end of the pier, under the penalty of ten dollars for every such offence.

Hay and
straw, how
to be placed

Sec. 59. No person shall have, put, or keep, any hay or straw uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of Fourteenth-street ; or shall have, put, or keep, to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is, or shall be within ten feet of any dwelling house or chimney whatsoever, under the penalty of twenty-five dollars for every such offence ; and the further penalty of ten dollars, for every twenty-four hours the same shall so remain, after a printed or written notice has been given to the owner or person having charge thereof, by any Fire Warden, to remove the same.

Candles,
how to be
used in sta-
bles.

Sec. 60. No owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of ten dollars for every such offence.

Penalties,
how appro-
priated.

Sec. 61. All the fines, penalties and forfeitures, imposed by this law for not attending to fires, shall, when received, be paid to the Treasurers of the respective Companies aforesaid, in which the delinquencies may happen, for the use and benefit of said Companies ; and all the other fines, penalties and forfeitures imposed by this law, shall, when recovered, be paid to the Treasurer of the " Fire Department of the City of New York," for the use and benefit of the said Fire Department. The Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the

amount of the sums which may be received by the Fire Department of the City of New York, and the application thereof.

Sec. 62. It shall be lawful for the Fire Department of the City of New York, and for the respective Companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen and Commonalty of the City of New York, all the fines, penalties and forfeitures hereby imposed, and appropriated for their respective uses as aforesaid, except the penalty mentioned in the fifth section of this law. Penalties, how recovered.

Sec. 63. No person shall be elected a Fireman until he shall have attained the age of twenty-one years; and it shall be the duty of the Foreman of the respective Fire Companies, when they report to the Chief Engineer the names of the persons elected Firemen, to certify that the persons so elected are at least twenty-one years of age. Firemen not to be elected under a certain age.

Sec. 64. It shall be the duty of the Clerk of the Common Council to furnish the certificates required to be furnished to the Firemen, without fee or reward. Certificates

Sec. 65. It shall be the special duty of the Mayor, for the time being, to see that this ordinance is carried into full effect. Duty of Mayor,

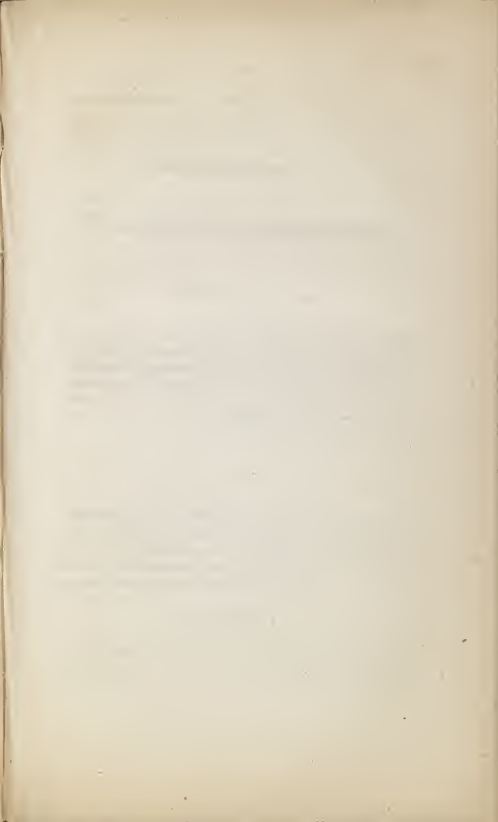
This ordinance shall take effect immediately after the passage thereof; and the first appointment of Chief and Assistant Engineers, under this Ordinance, shall take place on or about the day of next. When the Ordinance to take effect.

Sec. 66. Nothing contained in this Ordinance shall deprive the Common Council of the power to repeal or alter the same, at any time they may think proper. Power of Common Council to repeal and amend.

Sec. 67. All laws or parts of laws, relating to the

Laws
heretofore
passed, to
be repealed.

New York Fire Department, heretofore passed by the Common Council, are hereby declared to be repealed; but such repeal shall not affect any suit or prosecution already commenced; or any penalty, forfeiture, or offence already incurred or committed, under any such law or part of a law.





DOCUMENT NO. 72.

BOARD OF ALDERMEN,

MARCH 12, 1833.

The Committee on Wharves, Piers and Slips, presented the following report on the extension of the exterior line between Gouverneur and Walnut slips, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Wharves of the Board of Aldermen, to whom was referred the report of the Street Committee of the Board of Assistants, on the petition of C. Burgh and others, for an alteration of the exterior line in the East River, between Gouverneur and Walnut street slips,

REPORT:

That the action of the Board of Assistants is predicated on a petition signed in 1833, but presented in October, 1837; and

also a petition signed January, 1836, and presented in December 1837, requesting the Common Council to take the proper measures to have the permanent line extended sixty feet into the East River, so as to give the block between Front and South streets a depth of 200 feet instead of 140 feet, as it is at present. The reasons for the extension are fully set forth in the report of the Committee of the Board of Assistants, and which reasons your Committee deem conclusive as to the propriety of making the desired change; but they beg leave to observe, that the same reasons are equally forcible for extending the proposed line twenty-five feet farther; because the line, as proposed by the Board of Assistants, will bring the bulkhead within twenty-five feet of the most prominent rock on the reef, and would, in the opinion of your Committee, be a serious detriment to one of the owners of the upland, if the line proposed by the Board of Assistants should be adopted, and your Committee propose to fix the extension at eighty-five feet instead of sixty. Your Committee would further observe that the east side of the wharf, at the foot of Walnut street slip, is on the line of the street, and if the block between Front and South street is extended as proposed, it would prevent any communication with South street from Walnut street, until the slip at the foot of the street shall be filled in. Your Committee do not consider it expedient to pass such a resolution as would give the intermediate land to the adjoining owners, until a price shall have been fixed for the same, and an arrangement made, which shall secure to the public the use of the bulkhead, when the same shall be made.

Your Committee therefore propose to non-concur with the first resolution passed by the Board of Assistants, and to substitute one which that does not alienate what your Committee consider the just rights of the public, and which will leave the matter between the applicants and the public to be arranged when the projected improvement shall go into effect. The following is offered:

Resolved, That this Board non-concur with the first resolution passed by the Board of Assistants.

Resolved, That application be made to the Legislature, at its present session, for the passage of a law establishing the exterior line between Gouverneur slip and Walnut street slip, eighty-five feet beyond the present exterior line.

Resolved, That this Board concur with the second resolution from the Board of Assistants.

C. DE FOREST,
JOSEPH HOXIE,
JOHN V. GREENFIELD.



DOCUMENT NO. 73.

BOARD OF ALDERMEN,

MARCH 12, 1838.

The Street Committee presented the following report relative to elevating the grade of the Second Avenue, between 19th and 25th streets, which was laid on the table.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed papers relative to elevating the grade of the 2d avenue, between 19th and 25th streets, respectfully

REPORT:

That they have given the subject their consideration, and that the alteration proposed to be made in the regulation of the 2d avenue and that of the cross streets, as recommended by the Committee of the Board of Assistants, meets with their approval. When the regulations for this section of the city

were originally sanctioned, the construction of sewers formed no part of the plan; but in the course of improvements which subsequently took place, the ground was ascertained to be so saturated with water, as to require sewers to drain it, in order to obtain cellars. It has been found, in some instances however, that the regulations have been fixed at too low an elevation to admit of cellars being constructed of sufficient depth to be drained by the sewers, allowing the latter as low an elevation as a regard to their efficiency will warrant. It therefore becomes necessary to elevate the regulations in these instances for this purpose, which has been done on another part of the avenue between 11th and 20th streets. The elevation proposed in this instance is but trifling, compared with that of the last named. The Committee do not deem it essential for them to go further into the merits of the proposition, as they are fully discussed in the report of the Board of Assistants, to which they respectfully refer. They recommend a concurrence in the resolution adopted by the Board of Assistants.

C. DE FOREST,
D. RANDELL,
NEHEMIAH WATERBURY.





DOCUMENT NO. 74.

BOARD OF ALDERMEN,

MARCH 12, 1838.

The Select Committee, to whom was referred the petition of a large number of citizens, praying for the extension of the rails of the Harlaem Rail Road Company further down town, presented the following report thereon, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Select Committee, to whom was referred the accompanying petition of R. Riker, and 2,300 others, praying that the Harlaem Rail Road Company be permitted to continue their rails further into the city, respectfully

REPORT:

That your Committee do not deem it necessary, either to

repeat here the previous action of the Legislature or the Common Council, from time to time, on this subject; nor to enter into any arguments to show the superiority of this mode of travelling at the present time. It appears to be generally conceded, that rail roads afford the most desirable mode of travelling, so far as expedition and economy is concerned; and when the form and situation of this city is considered, it appears also to be the best mode of transporting the inhabitants from one part to the other, both as regards safety, economy and public convenience.

This road has been constructed at an expense of nearly one million of dollars, and during the last year has afforded means of transportation to about 700,000 persons; and from the statements furnished to the Committee, it appears that the number of those who travel upon it is regularly and constantly increasing.

There are no cities in which, to the knowledge of the Committee, opportunity has not been afforded to Rail Road Companies, to lay their rails through some of the streets; and in this city particularly, your Committee think similar permission should be given.

The lower part of the City of New York is constantly changing from dwelling houses to stores; and as this change takes place, the inhabitants are necessarily compelled to remove, either to the upper part of the city, or to the adjoining towns and villages.

That it is unwise in the public authorities of this city, to omit any suitable measures which would retain this population on our island, no one will pretend to deny; while, on the other hand, it must be evident to any attentive observer, that the present mode of carrying the inhabitants to the upper part of the island is not sufficient for this purpose.

The average increase of the city at this time, is about 100,000 in five or six years; and this increase is mostly, if not altogether, tending to the upper part of the city. At the

present time it is dangerous for an individual to travel, in a private carriage, through Broadway; owing to the great number of stages necessary to transport the people who reside in that neighborhood; and, when the increase, necessary to transport the inhabitants of that section, a few years hence, shall take place, it will be found almost impossible to travel, with safety, through that street.

The Bowery affords the only remaining avenue to the lower part of the city; and this, also, must, in a short time, become equally obstructed, unless some more expeditious and commodious way is adopted for this purpose.

The rail road is the only means which can be resorted to therefore; and the choice is to be made, between suffering the rails to be laid through the streets of the city, or driving this population to another county, and thereby lose the benefit of personal taxation, as well as diminish the growth of the city.

The only question which requires more consideration, is, through what streets it should pass. The rails at present are laid to Walker street, through the Bowery. The lower part of this street is narrow, and it is very doubtful how far it would allow of laying the rails through the same to Chatham square. At the same time, your Committee are convinced of the expediency of continuing the road further into the city. Centre street has often been referred to as the proper place for this purpose; and if it should be continued through to the Bowery, it might be expedient to remove the rails from the Bowery and confine this road to that street, or hereafter to continue one rail through the Bowery and one through Centre street. At the present time, however, this cannot be done; and the best route to be adopted, in the opinion of your Committee, is through Broome street to Centre street, and through Centre street to the open space at its junction with Chatham street.

There are several reasons why it is expedient to lay the rails through Centre street now, if it should be thought best by

the Common Council to allow the rail road to be brought further into the city. This street is not yet paved, and it would be better to lay the rails while the paving was progressing than to break it up afterwards.

Besides, if laid down by the Company now, they would be at the expense of paving all between the rails; and would thereby save, to the owners of property on that street, a considerable portion of the expense of paving.

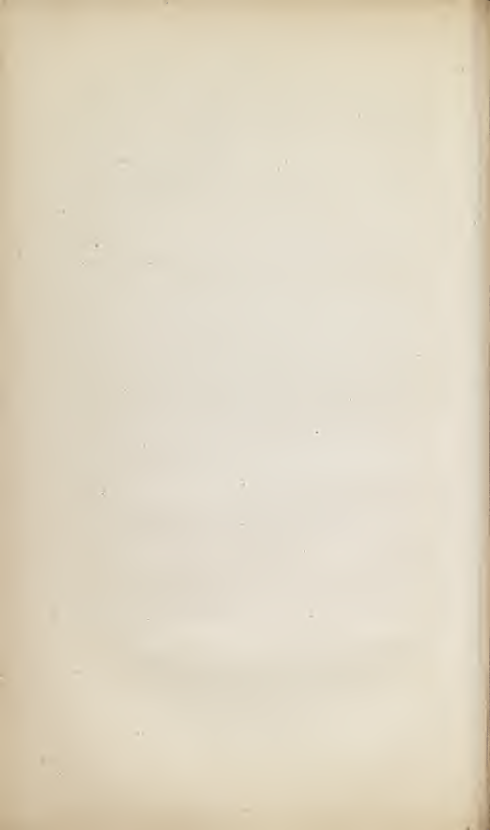
Your Committee know of no reasonable objection to this measure, except that which has been made of the difficulty of crossing the rails; but this has been entirely obviated by the new rails which have been laid between 12th and 13th streets, which can be crossed in any direction as easily as the pavement. They recommend that, if permission is granted, the rails should be of that kind; and, believing that the growth of this city, justice to the citizens, and desire to promote the public convenience, all require that additional means should be furnished in reaching the upper part of the island; and that this can only be obtained by means of rail road communication; and, besides, that the future extension of this road, beyond the limits of this city, will require its continuance lower into the city than it is at this time; your Committee recommend that such permission be granted, and they offer the following resolutions:

Resolved, That the New York and Harlaem Rail Road Company be permitted, and the Common Council hereby consent that the said Company may continue their rails, similar to those laid between 13th and 14th streets, by a double track, from the Bowery, through Broome street to Centre street, and from Broome street, through Centre street, to Chatham street; subject to the same conditions and restrictions which the Common Council heretofore imposed upon the said Company.

Resolved, That when such rails shall be laid through Cen-

tre and Broome streets, the said Company shall cause so much of the rails as are laid in the Bowery, south of Broome street, to be removed, and the street repaved.

M. C. PATERSON,
D. P. INGRAHAM,
G. W. BRUEN.



DOCUMENT NO. 75.

BOARD OF ALDERMEN,

MARCH 12, 1838.

The following communication was received, enclosing an Act from the State of New Jersey, relative to Alien Passengers, which was ordered to be printed and to be placed on file.

THOMAS BOLTON, *Clerk.*

MAYOR'S OFFICE,

New York, March 12, 1838.

Gentlemen of the Board of Aldermen:

I transmit herewith a copy of "An Act relative to alien passengers arriving in the State of New Jersey," received from the Secretary of State of the State of New Jersey.

AARON CLARK, *Mayor.*

STATE OF NEW JERSEY.

AN ACT RELATIVE TO ALIEN PASSENGERS ARRIVING IN THIS STATE.

Sec. 1. Be it enacted by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That from and after the first day of April next, the corporate authorities of any city or township in this state, shall be and are hereby authorised to impose and collect from the Master, Owner or Owners, Agent or Consignee of any and every ship or vessel arriving from any country out of the United States, at any such city or township, with alien passengers, a sum not less than one dollar, and not exceeding ten dollars, for each and every alien passenger brought in said ship or vessel as aforesaid; provided that when the boundaries of any city are co-extensive with the boundaries of any township, that then and in that case, the powers conferred by this Act shall vest in, and be exclusively exercised by the corporate authorities of such city; and provided also, that when the boundaries of any city are included within and not co-extensive with the boundaries of any township, and any such ship or vessel should arrive at any such city, then and in that case the powers conferred by this Act shall vest in and be exercised exclusively by the corporate authorities of such city.

Sec. 2. And be it enacted, That it shall be the duty of the Master or Commander of every ship or vessel so arriving, within twenty-four hours thereafter, and before any passenger or passengers are permitted to land from on board said ship

or vessel, to furnish to the President, Mayor or Chief Officer of any such city, or the Clerk of any such township, or such person as the corporate authorities of any such city or township may respectively designate, a full and correct list of all the passengers arriving in his vessel, with the name, age, occupation, and place of birth of each and every passenger, under the penalty of five hundred dollars.

Sec. 3. And be it enacted, That no passenger shall be permitted to land from on board any ship or vessel arriving as aforesaid, without permission from the corporate authority of any such city or township, under the penalty of fifty dollars for each and every passenger so landed.

Sec. 4. And be it enacted, That in case any alien passenger arriving as aforesaid, and landed by authority and permission of the corporate authority of any such city or township, is or shall become sick, infirm or otherwise incapable of providing for his or her own maintenance, then it shall be the duty of such city or township to provide for the maintenance and support of the said sick or infirm passenger so long as he or she shall remain incapable of providing for his or her own maintenance.

Sec. 5. And be it enacted, That the aforesaid penalties shall and may be sued for and recovered, with full costs of suit, by action of debt in any Court having cognizance thereof, in the corporate name of any such city or township in this state where the penalty or forfeiture may have accrued, and that the defendant or defendants in every such suit may be held to special bail; and that it shall and may be lawful for the corporate authority of any such city or township to compound for said penalties or either of them, either before or after suing for the same, upon such terms as they may think proper.

Sec. 6. And be it enacted, That nothing contained in this Act shall be construed to impair or in any wise counteract the full force and execution of the powers already vested in the corporate authorities of any such city or township, by their charters or act of incorporation, or any supplements thereto.

Sec. 7. And be it enacted, That this Act shall go into effect immediately after the passage thereof.

House of Assembly, Feb. 13, 1838.

This bill having been three times read and compared in the House of Assembly, *Resolved*, That the same do pass, by order of the House of Assembly.

LEWIS CONDUCT,
SPEAKER.

In Council, Feb. 19, 1838.

This bill having been three times read and compared in Council, *Resolved*, That the same do pass.

By order of Council,

A. PARSONS,
VICE PRESIDENT.

STATE OF NEW JERSEY.



I, James D. Westcott, Secretary of State of the State of New Jersey, do hereby certify that the foregoing is a true copy of a Law of said State passed 19th day of February, A. D. Eighteen hundred and thirty-eight, entitled "An Act relative to Alien Passengers arriving in this State," as taken from and compared with the original now remaining in my office. In testimony whereof I have hereunto set my hand and affixed my seal of office, at the city of Trenton, in said State, this ninth day of March, A. D. 1838.

[Signed]

JAMES D. WESTCOTT.

DOCUMENT NO. 76.

BOARD OF ALDERMEN,

MARCH 12, 1838.

The Committee on Fire and Water, presented the following report on the petition of sundry inhabitants of the 9th ward, for the removal of Engine Houses No. 34 and 29, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, Clerk.

The Committee on Fire and Water, to whom was referred the annexed petition for the removal of Engine Houses on the corner of Christopher and Hudson streets, respectfully

R E P O R T :

That the petitioners represent that they reside in the 9th ward, in the immediate vicinity of Engine Houses Nos. 34 and 29, and Hook and Ladder Company No. 3, situate on the

corner of Hudson and Christopher streets; and that themselves and families, and others, residing in that neighborhood, are much disturbed by the disorderly conduct of individuals connected with the above named Companies, either in the character of regular members thereof, or in that usually called volunteers, and they respectfully ask the interference of the Common Council to abate the annoyance complained of.

Your Committee have investigated the subject with much care, and have become entirely satisfied, from the statement of the petitioners and others, who have been examined before them, that gross scenes of outrage and abuse, calculated to disturb the quiet and good order of the neighborhood, have been so often perpetrated, on the part of those connected with said Engine Companies, as to require the interference of the Common Council in the premises; and your Committee, by virtue of the power and authority vested in them, have thought proper to take possession of the engines; and they have been placed in the public yard, there to remain until more suitable locations can be provided for them, or until otherwise directed by the Common Council.

Your Committee have long been, and still are, of the opinion, that it is impolitic to place two Engine Companies under the same roof; as, in most instances, severe and bitter quarrels are often the result of such contiguity; and it has been the settled policy of the Committee, in all cases where such an arrangement could be made, to carry their views into practice, and separate the Engine Companies as much as may be. While we are bound to pass an act of censure upon those who have been in the habit of resorting to the Engine Houses complained of, it is with pleasure that we are enabled to state, that, so far as the members belonging to the Hook and Ladder Company are concerned, they have, upon such investigation, been entirely exonerated by the petitioners; and that they have not been concerned, either directly or indirectly, in the said outrages; but, on the contrary, are a well regulated, efficient, and valuable company.

The Committee are well satisfied, that the only effectual remedy, to abate the evils complained of, will be, to separate the two Engine Companies; and, as the premises on the corner of Christopher and Hudson streets, are in a dilapidated state, they believe that the interest of the Common Council will be promoted, by disposing of them at as early an opportunity as may present; and, with this view, they have endeavored to procure other suitable locations, for the use of the Fire Department, in that neighborhood, in order that ample protection may be afforded to that section of the city; and, at the same time, the Companies be so separated as to prevent any further cause of complaint. Two situations have been selected, which the Committee recommend to the consideration of the Board, as well adapted to the proposed object; and which may be obtained at a fair and reasonable price, in proportion to the value of other property in the neighborhood; one of which is situated on Morton street, near the corner of Bedford, fourteen feet wide by twenty feet deep; and upon which is now erected a brick stable, covering the entire ground; and which, with a trifling expense, can be converted into an Engine House, the price for which is \$1,500. The other is on Bank street, one hundred feet from Bleecker; twenty-five feet four inches wide, in front and rear, by seventy feet deep; the price for which is \$3,500, and which will afford sufficient accommodation for an engine, and hook and ladder truck. These are the only suitable situations, which the Committee have been able to find, which could be obtained; and, as it is important to locate said Companies as soon as can conveniently be done, they have concluded to offer, for the consideration of the Common Council, the following resolutions:

Resolved, That the Comptroller be, and he is hereby authorized to dispose of the premises, at the corner of Hudson and Christopher streets, at such time, and in such manner, as may be deemed most advantageous to the interest of the city, under the direction of the Finance Committees.

Resolved, That a lot of ground in Morton street, fourteen feet wide, front and rear, by twenty feet deep, be purchased for the use of the Fire Department; and that \$1,500 be, and the same is hereby appropriated therefor.

Resolved, That a lot of ground on Bank street, twenty-five feet four inches wide front and rear, by seventy feet deep, be purchased for the use of the Fire Department, and that \$3,500 be, and the same is hereby appropriated therefor.

Resolved, That the Counsel of the Board take the necessary measures to ascertain that the legal title to said premises is vested in the Common Council. Respectfully submitted.

I. P. WHITEHEAD,
D. RANDELL,
JOSEPH HOXIE,
JOSEPH R. TAYLOR,
ABRAHAM TAPPEN,
MORRIS FRANKLIN.

DOCUMENT NO. 77.

BOARD OF ALDERMEN,

MARCH 26, 1838.

The Committee on Streets, to whom was referred the petition for calling the portion of Wooster street, lying between Waverly place and Union place, "University place," presented the following report in favor thereof, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, *Clerk.*

The Street Committee, to whom was referred the annexed petition of the owners of property on Wooster street, from Waverly place to Union place, that the same may be called University place, respectfully

REPORT:

That the portion of Wooster street, proposed to be called University place, is a new street, laid out a few years since in continuation of Wooster street, from Waverly place, at the

University, to Union place, and is of much greater width than the other part of the street, making a break from the line of Wooster street, on its easterly side, of twenty-five feet. It is now designated by the name of Jackson avenue, by sign-boards placed at the corners, and currently receives that name, although it has never been authorized by the Common Council; a resolution having been offered to that effect in 1833, by the then Assistant Alderman of the 15th ward, but not adopted, in the following words:

Resolved, That the Street Committee be directed to inquire into the expediency of connecting the easterly side of Washington square, with the westerly side of Union square, by an avenue not less than seventy-five feet in width; and that the same shall be designated by the name of Jackson avenue, as a testimonial of the respect which the City of New York entertains for the *statesman* and the hero, who in his public career has been second alone to the illustrious individual from whom one of these public squares derives its name, and who has been the means of preserving that glorious union of the States, which the name of the other was intended to commemorate.

The Committee, to whom this resolution was referred, reported that Wooster street, connecting these squares, had been extended the preceding year, but declined to recommend that it be called Jackson avenue. The Committee are of opinion, that the name of Jackson avenue ought to be confirmed, or some other name given to the street.

It appears to be the unanimous wish of the owners to call it University place; they applied for and obtained this spacious improvement at great expense to themselves, and with the express intention of erecting thereon dwellings of an expensive character, and with a view to making it a street separate and distinct from the other part of Wooster street.

The Committee can perceive no objection to this name, and

believe it to be the most appropriate that can be given, from the circumstances of its commencing at the University, and terminating at Union place. They offer the following resolution :

Resolved, That the portion of Wooster street, lying between Waverly place and Union place, be called University place, and that the Superintendent of Repairs cause the said name to be placed at the corners of the street.

C. DE FOREST,
NEHEMIAH WATERBURY,
D. RANDELL.



DOCUMENT NO. 78.

BOARD OF ALDERMEN,

MARCH 26, 1838.

The Committee on Wharves, &c. to whom was referred the petition of George Grier, and the Boston and New York Transportation Company, for lease of Wharf foot of Marketfield street, presented the following report in favor thereof, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Wharves, Piers and Slips, to whom was referred the annexed petition of George Grier, and the New York and Boston Transportation Company, for a lease of the rights and interests of the Corporation in, and to the pier at the foot of Marketfield street, respectfully

R E P O R T :

That the said privileges of the pier have been leased to

George Grier and Cornelius Vanderbelt, for one year, at the annual rent of \$4,250; since which Mr. Vanderbelt, as they are informed, assigned his interest in the pier to the Boston Transportation Company; who, with the other lessee, desire a renewal of the lease for five years, from the first day of May next, at a reasonable rent. The Committee are in favor of granting the petitioners a lease, but deem it impolitic to make it for so long a term. They recommend that a lease be given them for one year, and at the same rent as that of the preceding year. The following resolution is offered:

Resolved, That the Comptroller be, and he is hereby authorized to lease the rights and interests of the Corporation of the City of New York, in or to the pier at the foot of Market-field street, for a period not exceeding one year, from the first day of May next, to George Grier and the Boston and New York Transportation Company, for the yearly rent of four thousand two hundred and fifty dollars.

C. DE FOREST,
JOSEPH HOXIE.

DOCUMENT NO. 79.

BOARD OF ALDERMEN,

MARCH 26, 1838.

The Committee on Streets, to whom was referred the petition for discontinuing the proceedings for extending Chapel street, from Barclay to Greenwich street, presented the following report thereon, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petitions to discontinue the proceedings for extending Chapel street, from Barclay to Greenwich street, respectfully

REPORT:

That the petitions are signed by nearly all the owners of property interested in, or affected by, the improvement, including those who were originally in favor of it. They state that the improvement is uncalled for in the present crisis of finan-

cial embarrassment, which has assailed all classes of eitizens, and that if earried into effect, the expenses will prove much greater than any benefits which can be derived, and that the assessments to which they will be subject, will bear onerously oppressive. They ask therefore that the improvement may be discontinued for the present, and if necessary, that the same be prosecuted at some more favorable period.

The Committee acquiesce in the views of the petitioners, and are of opinion that as all those, or nearly so, who are immediately concerned in the improvement, are opposed to any further proceedings, that the same ought to be discontinued. Two of the petitioners, whom the Committee consider responsible, have stipulated to pay the expenses, should the Common Council deem it proper to grant their request.

The Committee offer the following resolution :

Resolved, That the Counsel make application to the Supreme Court to discontinue proceedings for extending Chapel street, from Barclay to Greenwich street, providing that the petitioners deposite a bond with the Street Commissioner, subject to his approval, for the payment of the expenses incurred.

C. DE FOREST,
NEHEMIAH WATERBURY,
DAVID RANDELL.

DOCUMENT NO. 80.

BOARD OF ALDERMEN,

MARCH 26, 1838.

The Committee on Streets presented the following report relative to widening and extending William street, from Maiden lane to Chatham street, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petitions of owners of property affected by the proceedings for widening and extending William street, from Maiden lane to Chatham street, respectfully

R E P O R T :

That the petitioners set forth that many of them were the original promoters of the improvement, believing the same to be imperiously called for in the then, and in the

anticipated prosperity of the city; but that in the present exigency of our city affairs, they are constrained to ask for delay, until there shall be a prospect of a return of business, as the improvement is not immediately required, and as great sacrifices must be made to meet and endure the expense, should the same now be carried into effect. The Committee concur in the views of the petitioners, who also desire that the assessment may be revised, believing that the valuations, in some instances, are too high. The Committee have examined the assessment roll, and are of opinion that the estimates of awards and benefits bear unequally upon the property assessed, and that the Commissioners must have labored under some misapprehension. Some of the awards are for short leases and for exorbitant amounts. The Committee also think that the sums assessed upon the Corporation property on Chatham street are excessive. They recommend that the Counsel be directed to delay presenting the report of the Commissioners to the Supreme Court until April, 1839, and that the Commissioners be requested to revise their assessment in January preceding. The Committee believe the improvement to be a judicious one, and that this course will meet with the approbation of nine tenths of those interested.

They offer the following resolution:

Resolved, That the Counsel be directed to delay presenting to the Supreme Court, the report of the Commissioners of Estimate and Assessment for the widening and extending of William street, from Maiden lane to Chatham street, until April, 1839, and that the Commissioners be requested to revise their assessment in January preceding.

C. DE FOREST,
NEHEMIAH WATERBURY,
D. RANDELL.





DOCUMENT NO. 81.

BOARD OF SUPERVISORS,

APRIL 9, 1838.

The Select Committee, to whom was referred the annexed resolution, relative to the compensation of the Collectors of Taxes, presented the following report thereon: which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

Resolved, That the subject of the compensation of the Collectors of Taxes, of this City, be referred to a Select Committee, with a view of reporting a tariff that will better secure collections by those officers.

The Select Committee, to whom was referred the accompanying resolution, providing for a new tariff of compensation for the Collectors of Taxes, respectfully

REPORT:

That by the present tariff, the Collectors are paid a certain per centage, until it reaches the sum of \$1,500, after which nothing is allowed for collecting the surplus; under this rule, where the tax in any ward exceeds \$60,000, no compensation is allowed for collecting such excess, and the consequence is, that no inducements are offered to collect this excess, except the mere compliance with the provisions of the law, in calling for the taxes. By the present tariff, also, a very unequal rate of compensation is established, not at all proportioned to the labor or responsibility. This will be apparent from a reference to the table annexed, showing the amount of compensation as now allowed.

Your Committee have given this subject an attentive examination, and they have prepared a different mode of compensation, by which the Collectors will not only be paid for their labor and responsibility, but will also have a compensation allowed them for extra labor, in collecting more of the taxes than they do for the present allowance. The adoption of this mode of compensation will, in the opinion of the Committee, greatly increase the amount of monies annually collected by the Ward Collectors, and will prevent the large amount of taxes annually returned unpaid. The amount of tax for the last year, which will be returned unpaid by the Collectors, will not vary much from \$200,000.

This amount your Committee believe is larger than it ought to be, or than it would be, if proper exertions were made on the part of the Collectors, and the proposed alteration is intended to remedy the evil.

This plan proposes a regular per centage on the amount collected, increasing more and more until the whole amount is collected. It will, in some cases, give the Collector more than he receives under the present law, if he collects the whole of the tax; but it must be remembered that on all returned unpaid, there is now allowed to the Collectors of Arrears, seven

per cent. for collecting, a greater compensation than is proposed to be allowed to the Collectors.

In some of the upper wards, where there are many vacant lots, and the difficulty of collecting much greater than in other parts of the city, an additional compensation is recommended. The particular rates, applicable to the different wards, will be seen on referring to the annexed tables, and your Committee recommend the adoption of the accompanying resolution.

D. P. INGRAHAM,
EDWARD TAYLOR,
C. DE FOREST.

Resolved, That the following be established as the rate of compensation to the Collectors of Taxes, in the several wards of the City of New York, viz.:

Where the amount of tax does not exceed \$30,000, as follows:

On \$10,000,	4 per cent.	\$400
5,000,	5 "	250
5,000,	6 "	300
10,000,	7 "	700

Where the amount is between thirty and forty thousand dollars, as follows:

On \$20,000,	3 per cent.	\$600
10,000,	4 "	400
10,000,	5 "	500

Where the amount is between forty and fifty thousand dollars, as follows:

On \$20,000,	$2\frac{1}{2}$ per cent.	\$500
10,000,	$3\frac{1}{2}$ "	350
10,000,	$4\frac{1}{2}$ "	450
10,000,	5 "	500

Where the amount is between fifty and sixty thousand dollars, as follows :

On \$30,000,	$2\frac{1}{4}$	per cent.	\$675
10,000,	$3\frac{1}{4}$	"	325
10,000,	4	"	400
10,000,	5	"	500

Where the amount is between sixty and seventy thousand dollars, as follows :

On \$30,000,	2	per cent.	\$600
10,000,	3	"	300
20,000	$3\frac{1}{2}$	"	700
10,000	4	"	400

Where the amount is between seventy and eighty thousand dollars, as follows :

On \$30,000,	$1\frac{3}{4}$	per cent.	\$525
20,000,	$2\frac{1}{2}$	"	500
10,000,	3	"	300
10,000,	$3\frac{1}{2}$	per cent.	350
10,000,	4	"	400

Where the amount is between eighty and ninety thousand dollars, as follows :

On \$30,000,	$1\frac{1}{4}$	per cent.	\$375
20,000,	$1\frac{1}{2}$	"	300
10,000,	$2\frac{1}{2}$	"	250
10,000,	3	"	300
10,000,	$3\frac{1}{2}$	"	350
10,000,	4	"	400

Where the amount is between ninety and one hundred thousand, as follows :

On \$50,000,	$1\frac{1}{4}$	per cent.	\$625
20,000,	$2\frac{1}{4}$	"	450
20,000,	$2\frac{3}{4}$	"	550
10,000,	3	"	300

Where the amount is between one hundred and one hundred and forty thousand dollars, as follows:

On \$50,000,	1 per cent.	\$500
20,000,	$1\frac{1}{2}$ "	300
20,000,	2 "	400
50,000,	3 "	1,500

Where the amount is over one hundred and forty thousand dollars, as follows:

On \$100,000,	$\frac{1}{4}$ per cent.	\$250
60,000,	$\frac{3}{4}$ "	450
30,000,	1 "	300
30,000,	$1\frac{1}{2}$ "	450
Balance,	$2\frac{1}{2}$	

And to the Collectors of the 11th, 12th, 16th and 17th wards, in addition to the above Commissions, an addition of one per cent. on the monies actually collected by them, respectively.

Proposed Tariff of Compensation to the Collectors of Taxes.

Wards.	Amount of Tax.	Collected	Compensation by present law.	Compensation by proposed tariff, on amount collected.
1	\$252,000	\$223,000	\$1,500 00	\$1,525 00
2	84,000	62,000	1,500 00	995 00
3	84,000	75,000	1,500 00	1,400 00
4	49,000	42,000	1,218 00	1,400 00
5	68,000	54,000	1,350 00	1,390 00
6	54,000	39,000	1,189 50	967 50
7	75,000	53,000	1,325 00	1,115 00
8	64,000	52,000	1,300 00	1,320 00
9	57,000	41,000	1,209 50	1,040 00
10	39,000	31,000	1,116 00	1,050 00
11	28,000	16,000	960 00	710 00
12	40,000	23,000	1,012 00	650 00
13	22,000	16,000	960 00	710 00
14	38,000	33,000	1,122 00	1,150 00
15	136,000	108,000	1,500 00	1,740 00
16	95,000	51,000	1,275 00	647 50
17	58,000	33,000	1,122 00	745 60
\$1,243,000		\$952,000		

To the Collectors of the 11th, 12th, 16th, and 17th wards, in addition to the above commissions, an addition of one per cent. on the monies actually collected by them, respectively.

under \$30,000	\$10,000	4 per ct.	\$400
	5	5	250
	5	6	300
	10	7	700
30 to 40	20,000	3 per ct.	600
	10	4	400
	10	5	500
40 to 50	20,000	2½ per ct.	500
	10	3½	350
	10	4½	450
	10	5	500
50 to 60	30,000	2½ per ct.	675
	10	3½	325
	10	4	400
	10	5	500
60 to 70	30,000	2 per ct.	600
	10	3	300
	20	3½	700
	10	4	400
70 to 80	30,000	1½ per ct.	525
	20	2½	500
	10	3	300
	10	3½	350
80 to 90	30,000	1½ per ct.	375
	20	1½	300
	10	2½	250
	10	3	300
90 to 100	50,000	1½ per ct.	625
	20	2½	450
	20	2½	550
	10	3	300
100 to 140	50,000	1 per ct.	500
	20	1½	300
	20	2	400
	50	3	1,500
Over 140	100,000	½ per ct.	250
	60	¾	450
	30	1	300
	30	1½	450
Balance 2½			





DOCUMENT NO. 82.

BOARD OF ALDERMEN,

APRIL 9, 1838.

The Special Committee, to whom was referred the petitions for postponing the sale of property for unpaid assessments, presented the following report thereon, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, *Clerk.*

The Select Committee, to whom was referred the petitions of a large number of the inhabitants of the City of New York, praying for a postponement of the sale of property about to be advertised at auction for unpaid assessments, beg leave to

R E P O R T :

That they entirely concur in the reasoning so clearly and forcibly set forth by the petitioners. They are of the opinion

that the proprietors of real estate in New York, have at all times an especial claim upon the favorable consideration of the Common Council of the city, as it is from the real estate that the revenue of the city is mainly derived. The Committee will not dwell upon the fact which, upon a former occasion, has been frequently urged, that we have at this time no currency that is at all adequate to meet the wants of a great commercial community; that the precious metals that are in circulation, are passing, and have been for nearly a year past, into the keeping of the Post Master, and the Collector of the port. That our banks have contracted their circulation so far that you rarely, if ever, meet with a bank note issued by one of our city banks; that in point of fact these bank notes are less abundant than specie; that in exchange for land neither bank notes nor specie can, at this time, be obtained, except at ruinous sacrifices. It is with great good reason then that the petitioners apply to the authorities of the city for protection and relief in this their great extremity. Many of these improvements were made without the knowledge and against the consent of some of the owners of the lots assessed. Contracts were made for them in some, indeed, in almost all cases, at nearly double what they could be constructed for at this time; and a contract made to pay a dollar three years ago, which is compelled to be strictly enforced at this time, is essentially unjust, so far as the debtor is concerned, as he is compelled to pay his debt in a currency that is nearly twice as valuable. The whole policy of our legislation has been the delay, as far as practicable, the forcible collection of debts. While the rents of the commercial parts of the city have become reduced, upon an average, more than one half the property upon which these assessments are imposed has no mercantile value at all. The Insurance Offices who, previously to the great fire, would loan money on bond and mortgage, have become extinct. The Trustees of our Savings Bank, such is the want of confidence among our fellow citizens, prefer to invest the money of their depositors in the stocks of other

states, at a low rate of interest, than to loan it out at 7 per cent. to our own people to furnish capital for the employment of labor. In truth, in each and every aspect of this present crisis, the petitioners have a right to expect from the Corporation a reasonable delay.

The amount expected to be collected can form no serious embarrassment to the finances of the city, as the credit of the city can be readily interposed to raise the sum at a moderate rate of interest, certainly at six per cent. as the contractors would be very glad to get Corporation Certificates for the amount due. At all events, it seems to be harsh and cruel to sell out the property to the vultures that, upon these occasions, collect around the City Hall, either to make 20 per cent. per annum out of the capital which they have hoarded up for some such purpose, or to get a lease of 500 years of the property of some poor widow or orphan child, whose guardian has been bankrupted, by the late experiments.

There is also another reason why it is especially unwise to force on these sales at present; it will have the effect immediately and greatly to depreciate the value of real estate, and in this respect to diminish the permanent revenue of the Corporation.

While our commerce, by reason of the absence of capital, is being transferred, in a great measure, to Philadelphia and Baltimore, our taxes, so far from being diminished, are constantly increasing, by the multitudes of unemployed operatives that come here and are only kept from starving by private charity or the public charge; all these charges must be paid and borne by the holder of real estate. The merchant may gather up the fragments of his fortune and pass on to a more favored region, and leave his landlord with an empty store; but the landlord cannot escape the tax gatherer, although his store be without a tenant.

Your Committee recommend that the prayer of the petitioners be granted, and offer for the consideration of the Board the following resolution :

Resolved, That the Street Commissioner be, and he is hereby directed to suspend all further proceedings in the sale of property for unpaid assessments, until the first day of August next.

G. W. BRUEN,
R. SMITH.

DOCUMENT NO. 83.

BOARD OF ALDERMEN,

APRIL 9, 1838.

The Committee on Laws, &c. of both Boards presented the following report on the Reviser's Report on the Ordinances and Resolutions of the Common Council, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, *Clerk.*

The Committee on Laws of both Boards, most respectfully

R E P O R T :

That the Reviser of the City Ordinances, appointed by the resolution of the Common Council of the 11th of July last past, has, according to the exigency of that resolution, submitted to the supervision of this Committee, that portion of the work contained in the printed document herewith submitted. The Committee have examined the same, and now present it for the consideration of the Common Council.

In his preliminary report, prefixed to this revision of the ordinances, the Reviser states, that the general principle by which he has endeavored to govern himself, is so to frame the ordinances as to separate the legislative from the executive departments of government. This is undoubtedly the principle of the amended Charter. But from the emphasis he lays upon it, the inference might be drawn that the adoption of this principle would lead to great alterations in the ordinances and modifications of the departments, but for his subsequent remark, that the existing ordinances are framed upon this principle, and that "the instances are few, in which executive duties are conferred on Committees by the ordinances." In the ordinances now submitted, but two instances occur in which the Reviser suggests the propriety of relieving the Committees from powers now exercised by them; one is on page 21, in sec. 5, subd. 4, which is a new section suggested by the Reviser, giving power to the Comptroller to appoint Appraisers on renewal of leases; whereas the resolution of the Common Council, cited in the note as that by which this section was suggested, associated the Finance Committee with the Comptroller: the other instance is on p. 44, § 2, where it is proposed to relieve the Finance Committee of the duty of passing upon surety bonds, and to leave it to the Comptroller, as an executive duty.

This Committee approve of the first above proposed amendment, but not of the second. The duty of passing upon surety bonds and approving of security is a delicate and responsible one, and more likely to be exercised with the due severity and scrutiny by many than by one; and it is not clearly an executive duty. To enable the Common Council to see at a glance, the several executive powers conferred by the general ordinances upon the Committees, the Reviser has furnished a note of the several ordinances conferring such powers, and the same is hereto annexed.

Many new sections and parts of sections are recommended by the Reviser for adoption. Their tendency and intention,

in most if not in all instances, is to carry out into greater detail the principles of the existing ordinances; to give greater vigor to the departments, and by declaratory enactments to bring into the code of ordinances, provisions of the charter. It is believed that in every instance in which any alteration (except it be merely verbal,) or addition or amendment is made and contained in the ordinances as now submitted for enactment, it is distinctly noted in the Reviser's notes; and the references contained in the notes will, if examined, enable the members to decide upon the expediency of the amendments proposed.

The Committee would call the attention of the Common Council, particularly to the following sections, as those containing the only material questions on which differences of opinion are likely to arise, or as requiring particular consideration, as proposed amendments, to wit: chapter 1, title 1, § 2, 3, 6, 9, 10; title 2, § 4, subd. 3, 6, 8, 9, 11, 14, § 5, subd. 2, 4; title 4, (of the Chamberlain,) § 4; title 6, (of Arrears of Taxes,) notes; title 7th, (of Assessments,) notes; title 8, § 8, ch. 3, (Public Administrator,) § 11, and title 1 of the City Debt.

The Reviser has requested the direction of the Common Council, as to the plan upon which the revision shall be prosecuted. It would be, as he states, a literal compliance with the resolution under which he acts, to make a collection of the various ordinances and resolutions arranged under their appropriate heads, omitting what have been repealed, and embodying amendments in the ordinances themselves.

Great advantages will no doubt result from making the revision upon the system hitherto pursued by the Reviser. These advantages are referred to in his report, and an examination of the specimen of the work now submitted for consideration, will make them understood. At the same time the labor will be greatly increased and the expense much heavier.

Upon this subject the Committee, without having formed a definitive judgment upon the subject, would bring it before the Common Council, by submitting the following resolutions:

Resolved, That the Reviser of the Ordinances and Resolutions of the Common Council be directed to proceed in such revision, upon the plan adopted by him, in the Ordinance "concerning the Department of Finance," now submitted to the Common Council.

Resolved, That the sum of be, and is hereby appropriated, as a compensation to such Reviser, in addition to the sum heretofore allowed.

Resolved, That such sum be paid in such amounts and at such times as the Committee on Laws of both Boards shall approve. And that the Comptroller pay such amounts upon the certificate of such Committee.

M. C. PATERSON,
D. RANDELL,
MURRAY HOFFMAN,
MORRIS FRANKLIN.

DOCUMENT NO. 84.

BOARD OF ALDERMEN,

APRIL 16, 1838.

The Committee on Wharves, Piers and Slips, presented the following report relative to a Steamboat Place, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Wharves, Piers and Slips, to whom was referred the accompanying petition and report, relative to the establishment of piers and basins, for the accommodation of steamboats navigating the East River, respectfully

R E P O R T :

That for the reasons given in their previous report, to which they refer, they deem it expedient that a public slip should be laid out between Pike slip and Rutgers slip, in the East River,

in order that the same may be made with suitable piers, and hereafter appropriated for the accommodation of steamboats. A part of the bulkhead and water fronts, between said slips, belongs to the Corporation, and a part to several individuals. Your Committee believe, from their previous negotiations with the other owners, that it will be necessary to take the bulkhead and water front belonging to the others, according to the directions of the Act authorizing the Corporation to lay out slips. They therefore offer the following resolutions, in order that the proper proceedings may be taken, according to said law, if necessary :

Resolved, That a public slip be laid out and made, in the East River, including the space between Pike slip and Rutgers slip, in the City of New York.

Resolved, That the Committee on Wharves, Piers and Slips, give notice to the owners of the bulkhead and water front required for the said slip, that the same is required for said slip, and that they treat with the said owners for the purchase of the same.

C. DE FOREST,
JOSEPH HOXIE,
JOHN V. GREENFIELD.

DOCUMENT NO. 85.

BOARD OF ALDERMEN,

APRIL 16, 1838.

The Committee on Police, &c. presented the following report, on the petition of Watson Van Benthuyzen, to be indemnified against a judgment recovered against him, in the Court of Common Pleas, which was laid on the table and ordered to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The Committee on Police, &c. to whom was referred the petition of Watson Van Benthuyzen,

REPORT:

That the petitioner is Assistant Captain of the First District Watch; that some time in June last, while on duty, as such Assistant Captain, having observed that the house 120 Chapel street, kept by one John Fort, as a small porter house and

grog shop, was constantly resorted to by noisy and disorderly persons, to the great annoyance of the passers-by; he took occasion to remonstrate with said Fort, who after abusing him, proceeded to commit an assault upon the petitioner; that thereupon the said Van Benthuyzen arrested the said Fort, and handed him over to Captain Fisher, who placed him in confinement, where he so remained for about an hour. That the petitioner, previous to the assault so made on him, had sent a Watchman who was with him, to procure additional force, as there was an evident design in the crowd to close upon him.

That subsequently, said Fort commenced an action in the Court of Common Pleas, against the petitioner, and finally, in January term, obtained a verdict for twenty-five dollars, which, with the plaintiff's costs, amounted to one hundred and four dollars, which he was obliged to pay; that the costs of his Attorney are thirty-two dollars, and seventy-one cents; for which, and a Counsel fee, of fifteen dollars, he is still indebted to him.

Your Committee, after investigating this case, are of opinion, that Captain Van Benthuyzen was acting in the strict line of his duty, and that the verdict is mainly attributable to the fact, that the Watchman being absent, no evidence could be produced of the original assault by Fort; and that it is the duty of the Common Council to indemnify the petitioner. They offer the following:

Resolved, That the Comptroller be, and he is hereby authorized to draw his warrant in favor of Watson Van Benthuyzen, for one hundred and fifty-one dollars and seventy-one cents, in full satisfaction of the judgment recovered against him by John Fort.

M. C. PATERSON,
C. DE FOREST.

DOCUMENT NO. 86.

BOARD OF ALDERMEN,

APRIL 23, 1838.

The Committee on Streets, to whom was referred the petition to discontinue Murray Hill square, presented the following report thereon, which was adopted and directed to be sent to the Board of Assistant Aldermen for concurrence.

THOMAS BOLTON, Clerk.

The Street Committee, to whom was referred the annexed petition of owners of property in the neighborhood of Murray Hill square, to have said square abolished ; and, also, in reference to filling up the same, respectfully

R E P O R T :

That the Legislature, upon the application of the Common Council, passed an Act, April 30th, 1833, to establish the said square, one hundred feet on each side of the 4th avenue, and

from 31st to 34th street. In July, 1835, the Common Council caused Commissioners to be appointed, to open the square, who have progressed in the matter; and, as your Committee are informed, have nearly completed their estimates and assessments for confirmation by the Court. The petitioners represent that they are owners of land in the vicinity of the square, and that they consider the same unnecessary; that the estimated value of property to be taken is nearly sixty thousand dollars, which is to be assessed upon the adjacent lands, at a time when the lands are unsaleable; and they ask that the proceedings in relation thereto may not only be discontinued, but that the project itself may be abandoned; that the circumstances of its location render it entirely useless, it being cut up into six small sections by the 4th avenue, and the cross streets running through it.

The Committee fully acquiesce in these views. They believe it would prove an exceeding hardship to the individuals owning lands in the vicinity, to entail upon their lands, at the present time, assessments so uncalled for and so oppressive; there being no improvements in the neighborhood to justify or warrant such proceedings; and that, in most instances, it would amount to a confiscation of property to carry them into effect.

The Committee are also satisfied of the inexpediency of continuing the said square, under any circumstances; its existence involving great cost, and producing no satisfactory result. The interposition of the avenue and the streets through the square, subdivides it into six small sections; which are further reduced, by taking from the square for a street, forty feet on its easterly and on its westerly side; diminishing the sections, on each side of the avenue, to sixty feet in width; making narrow strips of ground, too small and inconsiderable to warrant the expense of fencing, or to be productive of any sort of utility. The Committee therefore recommend, that application be made to the Court, to discontinue the proceedings, upon the petitioners paying the expenses, which they say

they are willing to do ; and that after such proceedings have been discontinued, that application be made to the Legislature to alter the Commissioner's map of the city, by striking therefrom said square, and substituting therefor the avenue and streets as originally laid out.

The petitioners also, although erroneously, complain that the ground has been filled at the expense of the city, conferring upon a few individuals private benefit at public expense, contrary to the usual custom. This is not the fact. The custom has always prevailed, up to the time of making the contract for filling up this ground, to pay the expense of filling lots from the City Treasury, in anticipation of collecting the same by an assessment. In this case nearly one-half of the land belongs to the Corporation. An ordinance has been passed for the balance of the expense, and the same is a lien upon the property. The Committee offer the following resolutions :

Resolved, That the Counsel make application to the Supreme Court, to discontinue the proceedings for opening Murray Hill square, situate on each side of the 4th avenue, and between 31st and 34th streets ; provided the parties desiring the same, deposite a bond with the Street Commissioner, and subject to his approval, for the payment of the expenses incurred.

Resolved, That after such proceedings shall have been discontinued, that the Counsel make application to the Legislature to alter the map or plan of the city, by striking therefrom the said square.

C. DE FOREST,
NEHEMIAH WATERBURY.

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DOCUMENT NO. 87.

BOARD OF ALDERMEN,

APRIL 23, 1838.

The Committee on Streets, to whom was referred the petition of the Executors of Peter Schermerhorn, to have West street completed, from Albany to Rector street, presented the following report thereon, which was laid on the table.

THOMAS BOLTON, Clerk.

The Committee on Streets, to whom was referred the annexed petition of Peter Schermerhorn and others, for permission to build a bulkhead on the outer side of West street, from Rector street to Albany street, respectfully

R E P O R T :

That West street is the outer or marginal street, and is made entire north of Cedar street ; that a portion of the same is made at Rector street, and that a resolution has already been passed by this Board, authorizing the owners of grants to make West street, between Rector and Whitehall streets.

The Committee have examined the premises, and are of opinion that public convenience, as well as that of the petitioners, will be promoted, by completing West street, between Rector and Cedar streets, thereby placing the water front on a public street instead of private property, as at present, and rendering the same at all times approachable. The two slips between Albany street and Cedar street belong to the Corporation. The water line will require to be extended, only about eighty feet, to make West street, which can hardly be considered as a sacrifice of water, when it is considered that the portions of the slips next to the bulkhead are partially filled with mud, and the bulkhead itself, in a dilapidated condition. The Committee therefore recommend that permission be granted to the petitioners to make West street; and that the same be also made in front of the Corporation property.

The grants of the petitioners extend to the old line of West street, which has been altered since the grants taken out. The alteration of the line of West street commences at a point at Cedar street, and diverges further into the river running west, to sixty feet at Battery place, forming a wedge between the old and the new line of the street, for which the Corporation are entitled to receive pay from the grantees. And upon a recent report of the Finance Committee of this Board, to whom the subject of fixing a price for this ground was referred, the Board, on their recommendation, passed a resolution that the same be twelve and a half cents per square foot, at which rate the Committee recommend the permission to be granted; they offer the following resolutions:

Resolved, That the proprietors of water grants, fronting on the slips between Rector street and Albany street, be, and they are hereby authorized, at their own cost and charge, to build a bulkhead across the said slip, on the westerly line of West street, and to fill up the intermediate space with good and wholesome earths; the said work to be commenced on the 1st day of August next, and to be completed by the 1st

day of April thereafter : provided the said grantees shall take up only a grant to the present line of West street, on the terms prescribed by the Common Council, in a resolution adopted, agreeable to a map on file in the Comptroller's office, together with the costs of conveyance, maps, &c.

Resolved, That upon the said grantees commencing the building of their bulkhead, next to Albany street, that a bulkhead be built on the westerly line of West street, in front of the Corporation property, between Albany and Cedar streets.

C. DE FOREST,
NEHEMIAH WATERBURY.

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DOCUMENT NO. 88.

BOARD OF ALDERMEN,

APRIL 23, 1838.

The Committee on Roads and Canals, to whom was referred so much of the report of the Water Commissioners, as relates to the construction of the Aqueduct across the Harlaem River, presented the following report thereon, which was laid on the table and directed to be printed.

THOMAS BOLTON, *Clerk.*

The Committee on Roads and Canals, to whom was referred so much of the Water Commissioners' report as relates to the carrying the aqueduct across the Harlaem River, for the purpose of bringing water to this city, and also the remonstrance of the owners of property in that neighborhood, against injuring the navigation of the river, respectfully

R E P O R T :

That the plans proposed by the Commissioners contemplate

crossing the river in two modes; one plan is by a high bridge, sufficiently high to allow vessels to pass under the same, and to preserve, uninjured, the navigation of the river. This bridge would be required to be 1,450 feet in length, and to be elevated 163 feet above the rock bottom, and 138 feet above the tide. It is contemplated by them to erect the same on piers, with arches varying from 50 to 80 feet in width. The portion of the bridge over the stream would be composed of six arches, each eighty feet in width, and the residue being on the land of a smaller size. The estimated expense of this bridge with the aqueduct, as made by the Engineer at this time, is \$935,745. If pipes should be substituted instead of the aqueduct, the cost might be reduced, as your Committee are informed by the Engineer, about \$35,000; so that the cost of the high bridge would be \$900,000.

The other plan, proposed by the Water Commissioners, is to carry the aqueduct across by what they term an inverted syphon.

By this plan they proposed to leave open an arch of 80 feet, resting on piers, and in height 50 feet at one side of the water. This arch is placed immediately adjoining the New York shore, where there is now about two feet of water, and where, as the Commissioners think, the current will be so strong as in a very short time to carry away the mud now deposited at the bottom of the river, and leave sufficient depth of water to pass through, with such vessels as might be used for navigating the river. The remainder of this structure they propose to form by filling up across the river, an embankment of stone, by casting them into the river until a sufficient bed shall be formed to support the foundation walls of the aqueduct. The estimated cost of this plan is \$426,027. The Water Commissioners, in their report, submitting these two plans, give a preference to the latter or the plan by an inverted syphon or pipes, as preferable to the high bridge, for seven reasons:

1. The difference in the cost.

2. That the same objects will be obtained by the low bridge as that of the high one, at one half the expense.

3. Because the experience in sinking piers in mud and building them to so great a height is very limited, and if badly built, the injury would be very serious to the aqueduct.

4. The water in the aqueduct would be more exposed to frost, while the iron pipes would be protected entirely from frost by being covered with earth.

5. The leakage of the aqueduct would be injurious to the masonry, while it would be entirely avoided by the pipes.

6. The time necessary to complete the high bridge would be more than for the low one.

And lastly, if the river should be made navigable by removing the obstructions, that the archway proposed by them would admit the passage of vessels for every useful purpose, and that more would be unnecessary.

The Commissioners, however, after expressing this opinion, admit that so far as architecture is to be considered, the high bridge has the preference, and that if the Common Council shall direct the construction of the high bridge, the aqueduct shall be so constructed.

Since this report was submitted, the Commissioners have altered the latter plan, by enlarging the arch to the width of 120 feet, and the height of 65 feet, which causes an addition to the expense of \$50,000, making the estimated cost \$476,000.

Your Committee have felt duly sensible of the importance of the subject referred to them, both on account of the expenditure of money involved, and the interests of the City, as well as of the proprietors of land in the neighborhood of the proposed bridge, as to the proper decision of this question. They have had several interviews with the Water Commissioners, as well as with the Engineer, and such other persons as they were able to procure the attendance of. They think that the public good would have been promoted, had they been authorized to obtain the opinion of some scientific gentlemen on this sub-

ject, whose views would have greatly aided the Committee in arriving at a correct decision of this matter. They were not however authorized to incur any expense, and they have been compelled to come to a decision, in regard to it, from such information as they have been able otherwise to procure.

In order to arrive at a just conclusion, it is important to inquire into the capacity of the stream which is to be crossed by this aqueduct.

Harlaem River runs between the main land, and the Island of New York on the north-easterly side. Its extent is about seven miles from the North to the East River. It varies in depth below M'Comb's Dam, from 20 to 30 feet, and above the dam, owing probably to the deposits of mud, in consequence of former interruptions to the current, by the dam, its depth is from 21 to 10 feet.

A late survey of the river made by order of the Common Council, now in the Street Commissioner's Office, shows the depth of this river throughout. Formerly this river was navigated by vessels of considerable size up to the bridge which crosses it at the manor of Fordham, and was interrupted by the erection of M'Comb's Dam. The proposed removal of these obstructions from the river, either by the Corporation, or by a chartered Company, will restore, in a great degree, the navigation; and it is now to be decided by the Common Council, whether they will not only refuse to aid in restoring this navigation, but place in the river an obstacle which hereafter would be insurmountable, and must end all hopes of ever preserving the river for such purposes.

It is not to be supposed that the owners of land lying on the river above the proposed bridge will quietly submit to a measure which must be very detrimental to their interest, and very much decrease the value of their property, and they doubtless will resort to all legal measures to preserve the navigation of this river from injury.

In the original estimate, submitted to the people, both places were spoken of by the Commissioners. In the re-

port of the Water Commissioners, submitted to the people, in 1835, and on which they voted for this project, the Commissioners say, a third plan was to substitute inverted syphons in the place of aqueducts, in crossing Harlaem River and the Manhattan Valley. The estimates are founded upon the principle, that the water is to be taken at a certain determined height on the Croton, and delivered at another determined height in the city; the quantity to be delivered being also assumed. Upon this data, with other collaterals stated by the Engineer, he estimates the cost of crossing the river by aqueducts, at \$415,650 00

That of a syphon of 4 thirty-inch pipes . . . 364,280 90

Difference in favor of the syphon . . . \$51,370 00

In this plan the whole estimated expense of the aqueduct, including all the bridges and aqueducts, was fixed by them at \$4,150,709 71, and the expense of distributing the same by pipes, was fixed at \$1,261,627 01; making in all the sum of \$5,412,336 72. Of this amount, \$415,650 was stated as the estimated cost of the high bridge, and the Commissioners add, that the use of the syphon at Harlaem River, will save in the expense, \$44,605 50. (See page 347 of their report.) In the report of the Committee, directing the matter to be submitted to the people, in March, 1835, it is stated as follows:

The estimated expense of bringing the Croton to

Murray Hill, is about \$4,250,000

To this is to be added the estimated expense of

laying the water pipes in the city, to distribute
the water 1,262,000

Total expense \$5,512,000

This same bridge which, when the subject was submitted to the people for approval, was estimated to cost \$415,650, is

now estimated to cost \$935,745. It is proper to remark that these estimates are made by different Engineers, and that the Water Commissioners found their opinions on the reports of those employed by them for that purpose; but it is at the same time worthy of consideration, whether, with such discrepancy in the estimates between Mr. Douglass and Mr. Jervis, the Engineers, it would not be well to make more thorough and satisfactory estimates before commencing the work.

Of the propriety of preserving the navigation of this river, and the rights of those interested in it, there can be but one opinion, and if the adoption of the low plan, or the inverted syphon, would deprive individuals of such rights without compensation, it ought to be abandoned. Your Committee are of opinion that such would be the case. The proposed arch in the low plan, would not be sufficiently high to allow the passage of sloops, and would therefore only answer for vessels without masts. If such a structure should be placed over the river, it doubtless would cause a constant deposit above the bridge, and the consequence would very naturally be, that in a few years, the whole of the bed of the river above the bridge, would be changed to a mud flat, and navigation there entirely ended. A river of the size and depth of the Harlaem River, would, in other places, be considered a stream of too much value to be wantonly destroyed, and when we consider the peculiar situation of this city, its rapid growth and population, and we look forward to the time when the shore of this river will be thickly inhabited, the importance of at least avoiding injury to the river, must be apparent to every unprejudiced mind. This question is not to be decided by a mere reference to the present situation of the city, or to its present population. If the low structure should be adopted and carried out, the injury to the river is permanent and can never be removed; and those who are to succeed us in after years, can only express their unavailing regrets at the mistaken policy which would sacrifice the interests of this part

of the island to avoid a portion of the necessary expenditure consequent on retaining this stream. It would be an act of misplaced economy on the part of the Corporation, producing an injury which could never be repaired.

Various other reasons might be adduced why the plan of filling up the river is unadvisable, but the Committee will only notice the reasons given by the Water Commissioners for preferring this plan.

The first reason as to the cost, is not one which should influence the decision of this question. In an expenditure of ten or twelve millions, for what was originally contemplated to cost four and a half millions, it is neither just nor equitable to sacrifice the rights and interests of others, and by a departure from the original plan, destroy this river to save 400,000 dollars.

The second reason advanced by the Commissioners is, that all the purposes will be attained by the low bridge, which can be by the high one.

The Committee would refer to the former part of their report as an answer to this proposition. The navigation would be obstructed for every thing except boats and vessels without masts, and the depth of the river would be continually decreasing until it finally becomes filled up, and all further navigation through it be at an end.

The third reason is, the want of experience in constructing the high bridge. Your Committee do not think this a satisfactory reason against undertaking the work; if there is a want of experience in those employed by the Commissioners in working on the Croton Aqueduct, it certainly is not to be supposed that men of competent abilities and experience can be found to undertake and complete this work. The London Bridge, the bridge over the Potomac, as well as several other works in our own country of a similar character, all required as much experience and skill as this work, and your Committee do not think that this can form any reasonable objection.

to the high bridge, if it should be adopted by the Common Council.

At a late interview with the Engineer, Mr. Jervis, he stated to your Committee, that "he did not consider that there was any serious difficulty in the erection of the high bridge, nor did he believe that the danger from the climate, in injuring the work, was as great as had been represented. That he believed the work might be completed, and that it might be so constructed as to withstand the ordinary changes of climate in this country. That from its height it would of course be more exposed than the other proposed structure, and might in the course of time, require extensive repairs." The mere possibility of having to repair this bridge at the expiration of 80 or 100 years, is not, in the opinion of the Committee, any argument at all that should weigh against the propriety of preserving the navigation of the river. The one, if it needs repairs, can be repaired at pleasure, the river, if destroyed by building the low bridge, can never be restored.

The fourth and fifth reasons are, that the aqueduct would be more exposed to the frost, than the pipes on the low plan, and would leak, and thereby injure the masonry. This difficulty is easily obviated by substituting pipes in the place of the aqueduct over the bridge, if it should be thought best, and would be a saving of nearly \$40,000 in the expense, according to the estimate of the Engineer. Or if an aqueduct should be thought best, it can, by the mode proposed by the Water Commissioners, be lined with iron plates, so as to make it perfectly tight. All the benefits anticipated by the Commissioners from the pipes, can be obtained by substituting them over the aqueduct, and thereby the objection as to frost and leakage will both be obviated. If, however, there is any force in the argument as to frost and leakage, and the consequent interruption of the aqueduct, the same reasons should apply, with equal force, to the Sing Sing Bridge, which is constructed in the same manner, and which, if interrupted for repairs, would

produce the same inconvenience to the city from interruption of the water. See p. 94, Doc. 55, Commissioners' Report.

The 6th reason offered in favor of the low bridge, is the time necessary to complete the high bridge. The Commissioners have not stated the additional time required to complete the high bridge beyond that for building the low bridge.

It may be true that the high bridge might require another year for its completion, beyond that required for the low bridge; but it must be remembered that a very considerable time is to be occupied in building the necessary works on this island, both reservoirs and aqueducts; and your Committee think that the bridge, whichever plan should be adopted, can be finished as soon as it will be required to supply the other parts of the work. But even if it should produce a delay of a year, your Committee will only use the language of the Commissioners themselves, on page 365 of their last report. "A work of this magnitude and importance, which is intended to last for ages, must not have its permanence and safety jeopardized by a too rapid execution of its parts;" and the same reason should apply to the inconsiderate adoption of any measure which would produce an irreparable injury.

It is also doubtful whether if time would not be lost by adopting the low plan. The Commissioners would at once be involved in law suits, and probably be restrained by injunction from proceeding with the work, until the rights of the parties and the legality of the proceedings of the Water Commissioners could be tested by a decision of the Supreme Court of the United States. The time thus lost would more than equal the additional time required for the construction of the high bridge, and would be much better spent in work to preserve the navigation of the river, than in a legal controversy to take away the rights of others.

The seventh and last reason of the Commissioners has been referred to, and is included under the second. In the opinion of the Committee, if the river should be made navigable to the North River, the proposed arch would not, in any way,

afford sufficient facility for the navigation that would pass through the same; and the rapidity of the current through the archway, for at least half of the time, would be such as to make it dangerous to pass through, even if the height was sufficient.

These are all the reasons which the Commissioners have given, why the low bridge should be adopted; and your Committee do not think that any of them afford any arguments against the high bridge, with the exception of the difference in expense, which has heretofore been noticed.

It is proper, also, here to notice other parts of the plan of the Water Commissioners, as connected with the upper part of the island. The first reservoir, which is called the receiving reservoir, is placed south of 86th street; and until the water reaches this place, it is not proposed, in the plan as reported, to draw off any water for the use of that portion of the city.

This would then afford no benefit to the upper section of the island, until an alteration should be made in the plan, and a new reservoir erected, at some other spot, above 86th street; a measure not contemplated, or even suggested, by their report.

At the same time, the debt for the construction of the Croton Aqueduct, is a debt charged upon the whole city. The interest which will annually become due on the stock issued must, as soon as the premiums received on the sale of the stock are exhausted, be raised by tax, as no prudent Common Council would determine to continue annually adding to the principal of the debt the sum of \$500,000 for interest, until the aqueduct should produce revenue sufficient to defray it. If such tax should become necessary, it must be very apparent that the upper part of the island would be taxed proportionably for the annual interest of this project, while it could not derive any corresponding benefit from it. It is not for the Committee to pass at this time on the propriety of this mode of taxation, they only refer to it here as showing that this expenditure will press more heavily on the upper part of the island than the

lower part, because they will be compelled to pay for that which is productive of no benefit to them, while the lower part of the city will receive its supply of water, both for use and for the extinguishment of fires from it. It is true that whatever benefits one part of the island is conducive to the general advantage of the whole ; but this is an individual benefit, not at all equal to the amount of taxation.

While such is to be the operation of the debt incurred in constructing the Croton Aqueduct, in reference to the distribution of the expenditure for the same, it appears to the Committee that it would be improper and unjust towards the northern part of this island in addition thereto, to add injury by interfering with or destroying the navigation of the Harlaem River.

Though this stream may not be considered at the present time of much value, on account of the small number of vessels which navigate it, yet it must be remembered that one and the principal reason is the obstruction already existing to the navigation thereof.

As the Committee have heretofore remarked, this question must not only be decided with reference to the interest of the present generation, but as to that of posterity—the time will come when that portion of the island will become thickly inhabited, and then, if not before, the value of preserving a river of the depth of the Harlaem River, will be known and admitted.

It has been proposed to build a pier in the North River, for the purpose among others of providing a basin for the smaller craft coming to the city, at an estimated expense of four or five millions of dollars. At some future day this river, without any other expense than that of removing the obstructions now existing, would form one far superior in extent, while the cost would not exceed 100,000 dollars.

From these and other reasons which might be offered, the Committee have come to the conclusion that it would not be expedient to adopt the plan recommended by the Commissioners, of the low bridge with one arch over the river.

Though the immediate expense would be less, yet the measure would be one far more injurious to the city, and particularly to the upper portion of the island, than the additional expense, which might be incurred in preserving the navigation of the river unimpaired. The Committee have found more difficulty in adopting a plan to recommend, than in deciding on the inexpediency of the first plan proposed.

With a view of reducing the expense of this bridge, they have requested from the Engineer, Mr. Jervis, a plan somewhat partaking of both plans referred to by the Water Commissioners, a draft of which is herewith submitted. By this plan it will be seen that about 200 feet in width of the river would be preserved, but the height of the arches is not sufficient for ordinary sloops to pass through. The additional expense attending it would be about 100,000 dollars, and it does not receive the approbation of Mr. Jervis. In his opinion as expressed to the Committee, "if the navigation of the river is to be preserved, no modification of the low bridge would answer. The low bridge was submitted without reference to the navigation, and the high bridge only would allow masted vessels to pass through." He also objects to the plan last referred to as being very objectionable in its architecture, while there is not enough saved to warrant the adoption of it.

It appears to the Committee, that it is necessary that openings, of at least 200 or 300 feet in the whole, should be left, whatever plan may be adopted; and that the arches should be sufficiently high to allow of the passage of sloops under them; and if no other plan can be devised, by which the expense can be reduced and the navigation of the river preserved, they are of opinion that the high bridge should be adopted.

They have not referred to the proposition contained in the remonstrance, to construct the aqueduct so as to allow of ordinary travel over the same; the additional expense which it would cause being nearly one-third of the whole expense of the construction; and the additional weight that it would add

to the aqueduct, far exceed any considerations in favor of it. If a bridge should hereafter be required for travel in that neighborhood, it can be constructed for a very small portion of what would be required for the enlargement of the aqueduct, so as to admit of its being used for a viaduct.

The Committee, in conclusion, offer the following resolutions:

Resolved, That it is inexpedient to adopt the plan proposed by the Water Commissioners for crossing the Harlaem River by means of a low bridge, or syphon.

Resolved, That the Common Council hereby request the Water Commissioners, in constructing the aqueduct across Harlaem River, to leave at least three hundred feet of the channel of the river open, excepting where piers may be necessary to support the aqueduct, and that they build the bridge over the river in such a manner as to allow the free passage of sloops; and unless the Commissioners shall propose to the Common Council some other plan less expensive in the construction, and embracing the foregoing propositions, that they be requested to adopt the plan proposed by them for the high bridge across the Harlaem River.

D. P. INGRAHAM,
JOHN V. GREENFIELD,
A. V. WILLIAMS,
JOSEPH N. BARNES,
J. WESTERVELT.







DOCUMENT NO. 89.

BOARD OF ALDERMEN,

MAY 7, 1838.

The following report was presented from the minority of the Committee on Roads and Canals, on the report of the Water Commissioners, relative to the construction of an aqueduct across Harlaem River, which was laid on the table and directed to be printed for the use of the members.

THOMAS BOLTON, Clerk.

The minority of the Committee on Roads and Canals, to whom was referred so much of the Water Commissioners' Report as relates to bringing the Croton water across Harlaem River,

R E P O R T :

That the plans submitted by the Commissioners to the Common Council, for their consideration, having been placed in

the hands of each of its members, it is unnecessary to enter into a minute description of them here.

The plan which seems most to have occupied public attention, is that which is usually denominated the high bridge. By this plan, the Commissioners contemplate carrying the aqueduct over Harlaem River, without altering the grade, upon a range of piers and arches, the whole height of which, from the deepest part of the river to the top of the parapet will be 163 feet. This minority are willing to admit the practicability of this plan, if the Common Council are willing to encounter the great expense and delay that will be necessary to complete the work; yet every practical man at least, will acknowledge the difficulty of constructing such a work, and even the danger of failing altogether, without great skill and attention on the part of those who may be employed in its construction.

It is a fact well known to engineers and mechanics, that the only just criterion by which the value of any work can be known is experience. It is useless to consult theories or mathematical calculations, as the result of many of the contracts and estimates for large and untried works in this country will plainly prove. The whole amount for which the bridge over the Potomac was contracted to be built, was afterwards found to be insufficient to raise the piers above the water; the price set down in the report of Mr. Douglass, (the former Engineer,) for building this bridge, is only \$415,650, and the whole expense for constructing the aqueduct, as estimated by the same gentleman, is about one half of what is now understood will be the cost of it. Numerous instances of this kind might be here referred to, if it were necessary, to prove the entire inutility of mere calculation, without the test of experience.

This minority have been at considerable pains to obtain the opinion of those who have been employed in works of a similar character, in other countries, as well as those who have had the best opportunity this country has afforded, to obtain a correct knowledge of this kind of work. From information ob-

tained in this way, as well as from their own knowledge, they are well satisfied that this bridge cannot be built for a less sum than \$150,000, over and above the amount estimated by the Chief Engineer. These estimates are all based upon the supposition that a sufficient quantity of stone, and of a quality suitable for the purpose, can be found in the immediate vicinity. This is more than doubtful; and if it should be found necessary to bring this material from a distance, it will readily be perceived that an additional expense will be the consequence.

The difficulty of constructing a bridge according to this plan, is a serious objection to it in the minds of many, whose opinions, in a matter of this kind, should not be slighted, if the work is to be done by contract. The entire want of experience necessary to calculate the expense of the coffer dams, the great height to which the piers are to be carried, upon a foundation difficult to obtain, and where the smallest settlement or deviation from the plumb will necessarily involve the expense of rebuilding the pier, upon a more permanent foundation; the difficulty and danger of constructing the arches at the height of 100 feet above the river, each stone of which they are composed weighing from one to two and a half tons.

These, and many other difficulties that will be encountered in constructing this bridge, will prevent any man from contracting for it, if he has any thing to lose, unless he can obtain such a price as will certainly indemnify him for any risk he may run.

The length of time such a bridge will stand and answer the purpose for which it was intended, is a question not easily answered. No work of this kind having been performed in this climate, by which we can test its ability to resist the severe frost of our winters.

It is not known how long the hydraulic lime, which is now in general use for works of this description, will resist the action of time in this climate, and in a situation so exposed as this is.

It is however certain, that if water shou'd get into the joints of the arches, by leaks from the aqueduct or any other way, the destruction of the bridge must follow at no very distant day.

The delay that will be occasioned by the adoption of this plan, is also worthy of consideration. It is generally admitted that two years longer time will be required to complete this bridge than that recommended by the Commissioners, and will consequently add to the expense the interest for that time on the whole amount expended.

It will be perceived by the report of the Commissioners, that the plan preferred by them and the Chief Engineer, is that known as the low bridge by which they propose to carry the water across Harlaem River, by means of iron pipes laid in such a manner as to form an inverted syphon.

The objections to this bridge are the obstructions it will cause to the navigation of the river, and that it will ultimately fill up the channel, and by that means cause serious injury to the owners of property on its shores.

If these objections be well founded, why did not the citizens of Harlaem, and others, whose interests it is said will be materially effected by the construction of this bridge, prevent the erection of the old bridge at Harlaem and McComb's Dam. The former being so constructed as to prevent the passage of any other than the smallest class of vessels, and the latter not only cuts off all navigation, but is admirably calculated to fill up the river by deposits naturally made by obstructing the ebb and flow of the tide.

The only reasonable answer to this question appears to be that the navigation of the river has not been considered worth preserving, until recently.

The necessity for keeping open and improving the navigation of Harlaem River, has been urged, for the reason that it may hereafter be made the means of communication between the North and East Rivers, by such vessels as usually navigate them. This looks verry much like one of those wild and

visionary schemes that are often projected by speculators, for the purpose of increasing the value of their property at the expense of the public.

For it will hardly be supposed that a person navigating a vessel from the eastward, and bound up the North River, will leave the free and open navigation afforded by them, and grope his way through a crooked and narrow passage of more than seven miles in extent, the entrance to which is difficult and dangerous, and the outlet through a canal more than three-fourths of a mile in extent.

It is also reasonable to suppose that as the neighborhood becomes more populous, additional bridges will be required for the accommodation of the inhabitants, which will prevent this river from being used for the purpose above mentioned, even if there were no other impediments in the way.

But it is said, the river should be left unobstructed for the benefit of those who own property in the neighborhood; that stores and wharves, and manufactories will be constructed, and an extensive commerce carried on from its shores. It is unnecessary here to inquire whether these anticipations are likely to be realized or not, as the erection of this bridge will not in any way interfere with them.

The place where it is required to be built is about half way between the East and North Rivers, leaving all that part of Harlaem River to the eastward of it, and which embraces all that can be used for the above named purposes entirely unobstructed by it. The shores of the river, for a considerable distance to the westward of the bridge are high and rocky, and difficult to approach.

That part of the river, adjoining Kingsbridge, will not suffer by this work, as a much more ample passage will be left through it than will be afforded by any artificial navigation made to communicate with the North River, with the exception of vessels of more than sixty-five feet mast.

The Commissioners have proposed to alter the plan of the low bridge, by increasing the dimensions of the arch to 120

feet span, and 65 feet rise ; the water will be 16 feet deep, leaving ample space for the ebb and flow of the tide, without increasing the rapidity of the current to a greater degree than about two and a half miles an hour, and affording all the means for navigation that can reasonably be required for that part of the river. The difference between the cost of the high bridge, using iron pipes in the place of a brick aqueduct, and the low bridge with an arch of 120 feet span, is estimated, by this minority, at \$580,000.

For the reasons above stated, it is deemed advisable to recommend the following resolution :

Resolved, That the Water Commissioners be requested to construct the bridge across Harlaem River, in such a manner as to leave an opening of 120 feet, and 65 feet high, or in such other manner as in their opinion will not obstruct the navigation of said river.

R. SMITH.

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BOARD OF ALDERMEN,

MAY 7, 1838.

The following communication was received from the Comptroller, which was directed to be printed and placed on file.

THOMAS BOLTON, Clerk.

COMPTROLLER'S OFFICE,

New York, May 7, 1838.

To the Common Council of the City of New York:

The undersigned respectfully reports that he has examined the accounts of the City Treasurer for the last six months, ending on and including the 30th day of April last, and finds them correct, corresponding with the amount received and paid by the books of this department.

He further reports that he has examined and compared the Treasury account, and the accounts of the Commissioners

of the Sinking Fund, with the ledger in which these accounts are kept in the Bank of the State of New York, under the above titles, and finds them correspond with the accounts rendered by the Treasurer. The balances in favor of the City were on the 1st instant—

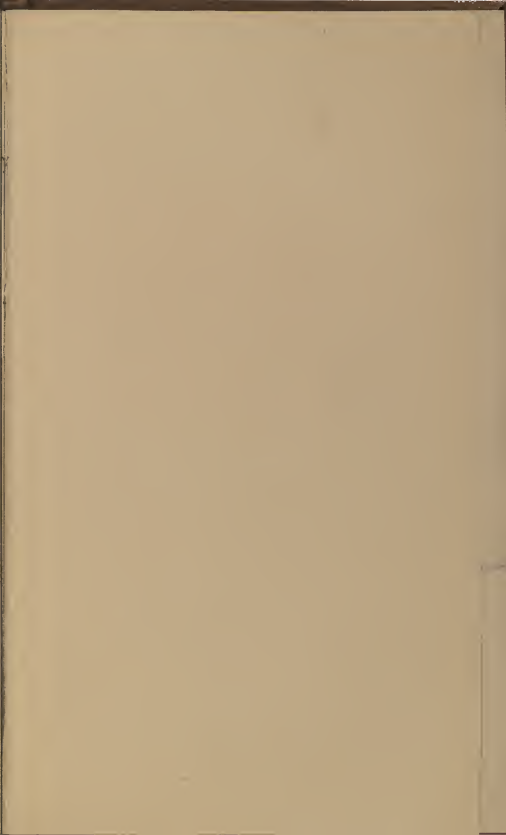
Balance of Treasury Account	\$215,960 33
“ of Commissioners of Sinking Fund	31,752 05
“ of do. Fire Loan Interest	6,935 25

Respectfully submitted.

D. D. WILLIAMSON, *Comptroller.*







DUE DATE

MAY 31 2000

AUG 1 2003

JUL 24 2003

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